

HOUSE OF REPRESENTATIVES—Monday, September 30, 1985

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. WRIGHT].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 26, 1985.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore on Monday, September 30, 1985.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray this day, O gracious God, for all members of our community and ask Your blessing upon them. We remember specially those who are ill and who desire healing and strength. May they know Your spirit that gives hope and comfort and may Your presence give them that peace that passes all human understanding. In Your holy name, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3414. An act to provide that the authority to establish and administer flexible and compressed work schedules for Federal Government employees be extended through October 31, 1985.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2005. An act to amend title II of the Social Security Act and related provisions of law to make minor improvements and necessary technical changes.

H.R. 2409. An act to amend the Public Health Service Act to revise and extend the authorities under that act relating to the

National Institutes of Health and National Research Institutes, and for other purposes.

A message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1712. An act to provide an extension of certain excise-tax rates.

JOINT CHIEFS OF STAFF REORGANIZATION ACT OF 1985

(Mr. SKELTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKELTON. Mr. Speaker, earlier this month the House Armed Services Investigations Subcommittee put the finishing touches on a bill to strengthen the workings of the Joint Chiefs of Staff [JCS], the Nation's top military body. This bill follows closely one that I introduced. Over the next few days I will address the important changes made in the JCS Reorganization Act of 1985.

The bill approved by the Investigations Subcommittee makes the Chairman of the JCS the principal military adviser to the President, Secretary of Defense, and the National Security Council. As the only member of the JCS with no service responsibilities—unlike the other four members, who are heads of their respective services—the Chairman is uniquely qualified to speak for the broader military viewpoint. The purpose here is to provide military advice from a national perspective and diminish the parochial interests of the four services. This change will strengthen the Chairman's voice.

Another important feature of the bill requires that the Chairman or his deputy attend all National Security Council meetings. In his classic book about what we did wrong militarily in Vietnam "The 25-Year War: America's Military Role in Vietnam," General Bruce Palmer strongly argues for the inclusion of the Chairman in the deliberations of the National Security Council. General Palmer writes:

All too often he is excluded from the high councils of government, some of which, although more informal and smaller than the normal NSC meetings, carry much weight. When military advice is deliberately excluded from such councils, the nation is not well served.

It is this advice that we have taken to heart in this bill.

DESIGNATION OF THE HONORABLE JIM WRIGHT TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS UNTIL OCTOBER 2, 1985

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore to sign enrolled bills and joint resolutions until October 2, 1985.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

THE PEOPLE OF GUATEMALA NEED OUR HELP

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, over recent years, the United States has declined to include Guatemala in our Central America assistance package—primarily because of the dismal record that that country has created with respect to the protection of human rights of its citizens.

Well, I'm here to declare that that record is substantially improved in recent months, particularly in view of the decision by the outgoing military government to lead its country toward democracy through free, open and fair elections of civilian leaders. By January 8, 1986, that process will be completed, and Guatemala will have joined the other fledgling democracies of Latin America.

But the critical financial picture facing Guatemala, one embodied with rampant inflation, unprecedented rates of unemployment, strangled international trade, and waning, almost nonexistent energy supplies—is one of devastating emergency proportions.

Mr. Speaker, the people of Guatemala need our help—not as badly as our devastated neighbors in Mexico—but just as certainly.

ARMS SALE TO JORDAN SHOULD BE REJECTED

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Boldface type indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. SCHUMER. Mr. Speaker, as I speak, the President of our country sits with the President of Jordan, King Hussein, to discuss the proposed arms sale that we have been notified of.

The arms sale to Jordan is folly. It makes no sense from a policy point of view and should be rejected by this body and the other body. It is a dead-end policy to sell arms to the so-called moderate Arab nations when they merely feint their heads or give us a little wink that maybe they would begin to talk peace with Israel.

That is what has happened over the last few months. They have still refused to recognize Israel, as they have for the last 40 years. They have no intention, in my opinion, of using those arms to protect themselves. Rather, they have an intention of using the arms to attack Israel. Let me give my colleagues an example.

The Saudis recently bought arms from Britain. Where are they stationing those planes? Not near the Persian Gulf, which was the purported reason they wanted the arms, but in Tebuk, 120 miles from Israel's border, and 1,000 miles from the Persian Gulf.

If we wish to bolster King Hussein internally from terrorism, these weapons will not do it. These weapons are simply used as a way of building up the armed forces against Israel. We have the PLO. Supposedly, King Hussein is bringing the PLO over to the peace table. Look at this weekend's papers, ladies and gentlemen. It was the PLO that sponsored an attack and massacred three Israeli civilians in Cyprus.

The arms sales should be rejected. It cannot produce peace.

FURTHER REPRESSION BY SANDINISTA GOVERNMENT AGAINST LABOR UNIONS

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, reports continue of further repression by the Sandinista government in Nicaragua against labor unions. Trade union members have been attacked and jailed for exercising their right to join a union, according to the secretary of the CUS trade union confederation, Jose Espinoza.

According to a recent press report, one union member was shot in the foot and jailed, and two others were jailed because they had joined a labor union. Other trade confederation members have been jailed and have remained in prison since 1982 or 1983.

According to a report by the International Labor Organization, "freedom of association has not been respected in Nicaragua either in law, or, above all, in practice."

The AFL-CIO has worked unceasingly to protect the rights of labor in Nicaragua and is credited with securing the release of seven leaders of the CTN trade union confederation. According to Mr. Espinoza, the Sandinista campaign to force labor union members and boards of directors to register with the Government has seriously imperiled the labor movement in Nicaragua.

□ 1210

MARGARET HECKLER AND GUILT BY ASSOCIATION

(Mr. GREGG asked and was given permission to address the House for 1 minute.)

Mr. GREGG. Mr. Speaker, I do not rise to praise Margaret Heckler, but for that matter, I do not rise to bury her, either. It appears that she has stepped on the sensibility of some of the individuals, the unelected individuals down at the White House. She has been, according to them, unloyal or disloyal, and for this, she must be burned at the stake, or at the minimum, at least sent to Ireland.

It seems to me that this is a very serious situation. What is the cause of her disloyalty? What are the elements of this disloyalty?

Well, she sought counsel on advice first from ALAN SIMPSON, who I believe is the Republican whip of the U.S. Senate, clearly a threat to Republican principles; and second, she sought counsel from my own beloved TRENT LOTT, someone who obviously must be a threat to conservative concerns.

Really, to the people at the White House, I say, if we must return to guilt by association, let us delete from the list at least those Members of our party who lead our party in the two Houses of Congress.

TRADE POLICY

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, last week, the President released his trade policy action plan. We, in Congress, have been anxiously awaiting his views on concrete steps that need to be taken to ameliorate America's trade crisis.

Unfortunately, the President's statement falls far short of what is necessary. The President asks us to crack walnuts without teeth.

It is the responsibility of Congress to tackle the No. 1 cause of our huge trade deficit. And that is to reduce the budget deficit so as to reduce the value of the dollar.

But it is clearly the responsibility of the President to tackle head on an equally imposing obstacle to U.S. exports—that is, unfair trading practices. I commend the President for initiating

and accelerating a few trade cases falling under the 301 provisions. But we need more action and results. The time has past for a "strike force" to "identify" unfair trade practices. There is no shortage of information or complaints from our exporters on the difficulties they encounter overseas. In fact, I'm sure every Member of Congress would be happy to ship their constituents' complaints to the strike force. We are spending way too much time identifying, monitoring, and reporting on unfair trade practices. Let's get a track record going so that this time next year, we will see results.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FRANK). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on both motions to suspend the rules and on the question of agreeing to the resolution on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on tomorrow, October 1, 1985.

FEDERAL EMPLOYEES BENEFITS IMPROVEMENT ACT OF 1985

Ms. OAKAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3384), to amend title 5, United States Code, to expand the class of individuals eligible for refunds or other returns of contributions from contingency reserves in the employees health benefits fund; to make miscellaneous amendments relating to the civil service retirement system and the Federal Employees Health Benefits Program; and for other purposes, as amended.

The Clerk read as follows:

H.R. 3384

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the "Federal Employees Benefits Improvement Act of 1985".

SEC. 2. PROVISIONS RELATING TO FEDERAL EMPLOYEE HEALTH BENEFITS.

(a) AUTHORITY TO REFUND CERTAIN CONTRIBUTIONS TO ENROLLEES.—(1) The last sentence of section 8909(b) of title 5, United States Code, is amended by striking out "employees" and inserting in lieu thereof "enrollees".

(2) The amendment made by this subsection shall become effective on the date of the enactment of this Act.

(b) REPEAL OF 75 PERCENT MAXIMUM IN GOVERNMENT CONTRIBUTIONS.—(1) Section 8906(b)(2) of title 5, United States Code, is amended by striking out "75 percent" and inserting in lieu thereof "100 percent".

(2) The amendment made by this subsection shall be effective with respect to con-

tracts entered into or renewed for calendar years beginning after December 31, 1987.

(c) **HEALTH SERVICES FOR MEDICALLY UNDERSERVED POPULATIONS.**—(1) Section 3 of Public Law 95-368 (92 Stat. 606; 5 U.S.C. 8902 note) is amended by striking out "after December 31, 1984," and inserting in lieu thereof "after December 31, 1984, and before January 1, 1986."

(2) Section 8902(m)(2)(A) of title 5, United States Code, is amended by adding at the end thereof the following: "This paragraph shall apply with respect to a health practitioner covered by subsection (k)(2) of this section irrespective of whether the contract involved contains the requirement described in clause (i) of such subsection (k)(2)."

(d) **ELIMINATION OF REQUIREMENT OF THREE MEDICAL SPECIALTIES FOR GROUP-PRACTICE PREPAYMENT PLANS.**—(1) The second sentence of section 8903(4)(A) of title 5, United States Code, is amended to read as follows: "The group shall include at least 3 physicians who receive all or a substantial part of their professional income from the prepaid funds and who represent 1 or more medical specialties appropriate and necessary for the population proposed to be served by the plan."

(2) The amendment made by this subsection shall become effective on the date of the enactment of this Act.

(e) **STUDY.**—(1) The Office of Personnel Management shall study and, before March 1, 1986, submit a written report to the Committee on Post Office and Civil Service of the House of Representatives and the Committee on Governmental Affairs of the Senate with respect to—

(A) the adequacy of any sources or methods currently provided under chapter 89 of title 5, United States Code, to assist individuals in making informed decisions concerning the choice of a health benefits plan under such chapter and the use of benefits available under any such plan; and

(B) extending section 8902(k)(1) of title 5, United States Code, as amended by this Act, to cover health practitioners (such as nurse-midwives, nurse practitioners, and clinical social workers) not currently covered thereunder.

(2) Included under subparagraph (A) of paragraph (1) shall be—

(A) an assessment of the adequacy of the sources and methods referred to in such subparagraph in advising individuals with respect to the coordination of benefits under chapter 89 of title 5, United States Code, with benefits available under other health insurance programs established by or under Federal law, particularly title XVIII of the Social Security Act; and

(B) recommendations for any legislation or administrative action which the Office considers necessary in order to improve the effectiveness of any such sources or methods.

(f) **ANNUAL OPEN SEASON.**—(1) Section 8905(f) of title 5, United States Code, is amended to read as follows:

"(f)(1) The Office shall prescribe regulations under which, before the start of any contract term in which—

"(A) an adjustment is made in any of the rates charged or benefits provided under a health benefits plan described by section 8903 of this title;

"(B) a newly approved health benefits plan is offered; or

"(C) an existing plan is terminated;

a period of not less than 3 weeks shall be provided during which any employee, annuitant, or former spouse enrolled in a health

benefits plan described by such section shall be permitted either to transfer that individual's enrollment to another such plan or to cancel such enrollment.

"(2) In addition to any opportunity afforded under paragraph (1) of this subsection, an employee, annuitant, or former spouse enrolled in a health benefits plan under this chapter shall be permitted to transfer that individual's enrollment to another such plan, or to cancel such enrollment, at such other times and subject to such conditions as the Office may by regulation prescribe."

(2) The amendment made by this subsection shall be effective with respect to contracts entered into or renewed for calendar years beginning after December 31, 1986.

(g) **PAYMENTS FOR CERTAIN HEALTH PRACTITIONERS.**—(1) Section 8902(k) of title 5, United States Code, is amended—

(A) by striking out "(k)" and inserting in lieu thereof "(k)(1)";

(B) by striking out the last sentence; and

(C) by inserting at the end thereof the following:

"(2)(A) When a contract under this chapter requires payment or reimbursement for services which may be performed by a qualified clinical social worker, an employee, annuitant, family member, or former spouse covered by the contract shall be entitled under the contract to have payment or reimbursement made to him or on his behalf for the services performed. As a condition for the payment or reimbursement, the contract—

"(i) may require that the services be performed pursuant to a referral by a psychiatrist; but

"(ii) may not require that the services be performed under the supervision of a psychiatrist or other health practitioner.

"(B) For the purpose of this paragraph, 'qualified clinical social worker' means an individual—

"(i) who is licensed or certified as a clinical social worker by the State in which such individual practices; or

"(ii) who, if such State does not provide for the licensing or certification of clinical social workers—

"(I) is certified by a national professional organization offering certification of clinical social workers; or

"(II) meets equivalent requirements (as prescribed by the Office).

"(3) The provisions of this subsection shall not apply to group practice prepayment plans."

(2) The amendments made by this subsection shall be effective with respect to contracts entered into or renewed for calendar years beginning after December 31, 1986.

(h) **SENSE OF CONGRESS.**—(1) The Congress finds that—

(A) the treatment of mental illness, alcoholism, and drug addiction are basic health care services which are needed by approximately 40 million Americans each year;

(B) mental illness, alcoholism, and drug addiction are increasingly treatable;

(C) timely and appropriate treatment of mental illness, alcoholism, and drug addiction is cost-effective in terms of restored productivity, reduced utilization of other health services, and lessened social dependence; and

(D) mental illness is a problem of grave concern in this country, though one which is widely but unnecessarily feared and misunderstood.

(2) It is the sense of the Congress—

(A) that participants in the Federal employees health benefits program should re-

ceive adequate insurance coverage for treatment of mental illness, alcoholism, and drug addiction; and

(B) that the Office of Personnel Management should encourage participating plans to provide adequate benefits relating to treatment of mental illness, alcoholism, and drug addiction (including benefits relating to coverage for inpatient and outpatient treatment and catastrophic protection benefits).

SEC. 3. PROVISIONS RELATING TO CIVIL SERVICE RETIREMENT.

(a) Section 4(a) of the Civil Service Retirement Spouse Equity Act of 1984 is amended—

(1) in paragraph (1), by inserting "paragraphs (3), (4), and (5) and" before "subsections (b) and (c)"; and

(2) by adding at the end thereof the following:

"(3) The amendments made by subparagraphs (B)(iii) and (C)(ii) of section 2(4) of this Act (relating to the termination of survivor benefits for a widow or widower who remarries before age 55) and the amendments made by subparagraph (F) of such section 2(4) (relating to the restoration of a survivor annuity upon the dissolution of such a remarriage) shall apply—

"(A) in the case of a remarriage occurring on or after the date of the enactment of this Act; and

"(B) with respect to periods beginning on or after such date.

"(4) The amendment made by section 2(3)(A) of this Act (but only to the extent that it amends title 5, United States Code, by adding a new section 8339(j)(5)(C)) and the amendment made by section 2(3)(C) of this Act (which relate to the election of a survivor annuity for a spouse in the case of a post-retirement marriage or remarriage) shall apply—

"(i) to an employee or Member who retires before, on, or after the 180th day after the date of the enactment of this Act;

"(ii) in the case of a marriage occurring after the 180th day after the date of the enactment of this Act.

Neither of the amendments referred to in the preceding sentence shall apply—

"(I) to an employee or Member retiring before May 7, 1985;

"(II) in the case of a marriage occurring after May 6, 1985, and before the date of the enactment of the Federal Employees Benefits Improvement Act of 1985.

Any election by an employee or Member described in subclause (I) to provide a survivor annuity for that individual's spouse by a marriage described in subclause (II) shall be effective if made in accordance with the applicable provisions of section 8339(j)(1) or 8339(k)(2) of title 5, United States Code, as the case may be, and as in effect on May 6, 1985.

"(5) The amendment made by section 2(4)(A) of this Act (relating to the definition of a widow or widower) and the amendment made by section 2(4)(G) of this Act (but only to the extent that it amends title 5, United States Code, by adding a new section 8341(i)) shall apply with respect to any marriage occurring on or after the 180 day after the date of the enactment of this Act."

(b)(1) Section 4(b)(4) of the Civil Service Retirement Spouse Equity Act of 1984 is amended in the matter before subparagraph (A) by striking out "Member," and inserting in lieu thereof "Member (or of that portion of the annuity which such employee or Member may have designated for this pur-

pose under paragraph (1)(A) of this subsection).

(2)(A) An election under subparagraph (A) of section 4(b)(1) of the Civil Service Retirement Spouse Equity Act of 1984 may be made before the expiration of the 12-month period beginning on the date as of which the regulations under subparagraph (C) of this paragraph first take effect, notwithstanding the time limitation set forth in such subparagraph (A).

(B) Any retired employee or Member who has made an election under section 4(b)(1)(A) of the Civil Service Retirement Spouse Equity Act of 1984 (as in effect at the time of such election) before the regulations under subparagraph (C) of this paragraph become effective may modify such election by designating, in writing, that only a portion of such employee or Member's annuity is to be used as the base for the survivor annuity for the former spouse for whom the election was made. A modification under this subparagraph shall be subject to the deadline under subparagraph (A) of this paragraph.

(C) The Office of Personnel Management shall prescribe regulations to carry out this subsection, including regulations under which an appropriate refund shall be made in the case of a modification under subparagraph (B) of this paragraph.

(c)(1) The first sentence of section 4(f) of the Civil Service Retirement Spouse Equity Act of 1984 is amended to read as follows: "Any individual—

"(1) who is entitled to a survivor annuity subsection (b) of this section,

"(2) as to whom a court order or decree referred to in section 8345(j) of title 5, United States Code (or similar provision of law under a retirement system for Government employees other than the Civil Service Retirement System) has been issued before the 180th day after the date of the enactment of this Act, or

"(3) who is entitled (other than as described in paragraph (2)) to an annuity or any portion of an annuity as a former spouse under a retirement system for Government employees as of such 180th day, shall be considered to have satisfied section 8901(10)(C) of title 5, United States Code, as amended by this Act."

(2) The second sentence of such section is amended by inserting "within 12 months after the date of the enactment of the Federal Employees Benefits Improvement Act of 1985," before "enroll".

(d) Section 4(a)(1) of the Civil Service Retirement Spouse Equity Act of 1984 is further amended—

(1) by inserting "(A)" after "shall apply"; and

(2) by striking out "Code." and inserting in lieu thereof "Code, and (B) to any individual who, as of such effective date, is married to a retired employee or Member, unless (i) such employee or Member has waived, under the first sentence of section 8339(j)(1) of such title (or a similar prior provision of law), the right of that individual's spouse to receive a survivor annuity, or (ii) in the case of a post-retirement marriage or remarriage, an election has not been made before such effective date by such employee or Member with respect to such individual under the applicable provisions of section 8339(j)(1) or 8339(k)(2) of such title, as the case may be (or a similar prior provision of law)."

(e)(1) Section 8339(j)(5)(C) of title 5, United States Code, is amended by adding at the end thereof the following:

"(v) An election to provide a survivor annuity to a person under this subparagraph—

"(I) shall prospectively void any election made by the employee or Member under subsection (k)(1) of this section with respect to such person; or

"(II) shall, if an election was made by the employee or Member under such subsection (k)(1) with respect to a different person, prospectively void such election if appropriate written application is made by such employee or Member at the time of making the election under this subparagraph.

"(vi) The deposit provisions of clauses (ii) and (iii) of this subparagraph shall not apply if—

"(I) the employee or Member makes an election under this subparagraph after having made an election under subsection (k)(1) of this section; and

"(II) the election under such subsection (k)(1) becomes void under clause (v) of this subparagraph."

(2)(A) Section 8339(k)(1) of title 5, United States Code, is amended by adding at the end thereof the following: "In the case of a married employee or Member, an election under this paragraph on behalf of the spouse may be made only if any right of such spouse to a survivor annuity based on the service of such employee or Member is waived in accordance with subsection (j)(1) of this section."

(B)(i) Section 8339(k)(2)(B)(i) of such title is amended to read as follows:

"(B)(i) The election and reduction shall take effect the first day of the first month beginning after the expiration of the 9-month period beginning on the date of marriage. Any such election to provide a survivor annuity for a person—

"(I) shall prospectively void any election made by the employee or Member under paragraph (1) of this subsection with respect to such person; or

"(II) shall, if an election was made by the employee or Member under such paragraph with respect to a different person, prospectively void such election if appropriate written application is made by such employee or Member at the time of making the election under this paragraph."

(ii)(I) Subparagraph (B)(ii) of section 8339(k)(2) of such title is amended by striking out "(other than an employee or Member who made a previous election under paragraph (1) of this subsection)".

(II) Such section 8339(k)(2) is further amended by adding at the end thereof the following:

"(D) Subparagraphs (B)(ii) and (C) of this paragraph shall not apply if—

"(i) the employee or Member makes an election under this paragraph after having made an election under paragraph (1) of this subsection; and

"(ii) the election under such paragraph (1) becomes void under subparagraph (B)(i) of this paragraph."

(3) The amendments made by this subsection shall take effect as of the 180th day after the date of the enactment of the Civil Service Retirement Spouse Equity Act of 1984.

The SPEAKER pro tempore. Is a second demanded?

Mr. YOUNG of Alaska. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Ohio [Ms. OAKAR] will be recognized for 20 minutes and the gentleman from Alaska [Mr. YOUNG] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House will consider H.R. 3384, "The Federal Employees Benefits Improvement Act of 1985." This legislation will amend and improve the Federal Employees Health Benefits Program [FEHBP] and the Civil Service Retirement System.

H.R. 3384 was reported September 26, 1985, by the Committee on Post Office and Civil Service by a unanimous vote of 20 to 0. The bill enjoys widespread, bipartisan support by my colleagues in Congress, Federal employee organizations, mental health advocacy groups, and health care providers.

I am gratified that all of the members of the Subcommittee on Compensation and Employee Benefits, which I chair, are cosponsors of H.R. 3384, as are Representatives BARNES, FAZIO, HORTON, HOYER, MOAKLEY, SCHROEDER, SIKORSKI, and WOLF. I am especially pleased with the cooperation and support in developing this legislation that I received from the members of the subcommittee, Mr. SOLARZ, Mr. LELAND, Mr. MYERS of Indiana, and Mr. YOUNG of Alaska. I firmly believe that the bipartisan support for H.R. 3384 is an indication of the important need for the reforms it mandates.

Over the past few years, the Subcommittee on Compensation and Employee Benefits has conducted extensive hearings on the FEHBP. Numerous provisions of H.R. 3384 to improve the FEHBP were the subject of much discussion and favorable testimony during those hearings. The remainder of the legislation sets forth a series of technical amendments to Public Law 98-615, which was enacted last year to provide retirement equity for former spouses of civil service retirees.

Eight provisions in the bill relate to the Federal Employees Health Benefits Program. The first provision will enable retired enrollees in the FEHBP to receive rebates which will be offered by 11 plans in the program. This change will benefit hundreds of thousands of Federal retirees, who, like active employees, are entitled to refunds on their health insurance premiums due to the excess reserves that have accumulated in the program. It is my hope that the refunds will be made to the enrollees as soon as possible, and that the plans will expedite the distribution of the rebates.

The second provision permanently repeals the 75-percent limitation on

the Government's contribution toward the FEHBP premium. Earlier this month, the Post Office and Civil Service Committee included a 2-year suspension of the 75-percent cap in its reconciliation recommendations. By allowing for the full Government contribution, this provision should lower the cost of health insurance for more than 1 million FEHBP subscribers. This reform has a history of strong support by the administration, the health insurance carriers, and Federal employee organizations.

The third provision in the bill reinstates the authority for FEHBP payments to nonmedical health providers in medically underserved areas. This authority expired on January 1 of this year, and is now badly needed in areas where there are insufficient physicians to meet Federal workers' health needs.

Fourth, this legislation eliminates the requirement that prepaid FEHBP plans, or health maintenance organizations [HMO's], employ physicians representing three medical specialties. Originally, this requirement was designed to assure the availability of a range of health services in each HMO. Today, however, it effectively precludes the development of family practice HMO's and other group providers who seek to serve their community's general health needs, instead of going into a narrower, more specialized practice. H.R. 3384 would replace this provision with a more realistic requirement that comprehensive plans include at least three physicians who represent one or more medical specialties appropriate and necessary for their enrollees.

The fifth provision of this bill requires the Office of Personnel Management to undertake a study of two aspects of the FEHBP. First, OPM will assess the adequacy of information services provided to FEHBP subscribers. With the numerous choices in FEHBP plans available to subscribers, it is essential that they have adequate information to make intelligent decisions. The flood of inquiries into congressional offices alone suggests that Federal workers and retirees would benefit greatly from improved information about their health plans, both before open season and during the contract year.

H.R. 3384 directs the OPM to examine specifically the coordination of coverage for individuals enrolled both in FEHBP and Medicare or other Federal health programs. In this area especially, adequate information is essential if enrollees are to take full advantage of the health coverage they buy. Second, OPM will study and make recommendations to the Congress on requiring direct reimbursement of nonphysician health practitioners, including clinical social workers, nurse midwives, nurse practition-

ers, chiropractors, and others, for health services covered under FEHBP plans. OPM must report its findings on both portions of the study to Congress by March 1, 1986.

The sixth provision requires the OPM to conduct an open season before the start of any contract year in which a new health benefits plan is offered or an existing plan changes its rates or coverage or terminates participation in the program. Such a requirement will protect FEHBP enrollees by ensuring that when there are changes in the program, they will have an opportunity to review their insurance needs and to make informed choices about their coverage.

The seventh section of H.R. 3384 provides that FEHBP plans may require referral by a psychiatrist as a condition for reimbursement of clinical social workers for covered services provided to enrollees. Plans may not, however, require physician supervision as a condition for reimbursement.

The final provision relating to the FEHBP expresses the sense of the Congress that sufficient coverage for mental health and substance abuse treatment be available to FEHBP subscribers. Our Federal workers deserve adequate insurance coverage for the treatment of these health conditions and should not have to suffer with less simply because mental illness is perceived to be "stigmatized."

In the area of civil service retirement, H.R. 3384 makes six technical changes in the "Civil Service Retirement Spouse Equity Act of 1984," Public Law 98-615, which provided for survivor retirement benefits to former spouses of Federal workers. Technical corrections in this bill will clarify congressional intent in that law.

A number of provisions apply to Federal employees, retirees, and surviving spouses who were unintentionally excluded from the provisions of Public Law 98-615. Another provision will clarify conditions for participation of former spouses in the Federal Employees Health Benefits Program. The bill also clarifies congressional intent with regard to electing an insurable interest for former spouses and others.

In summary, Mr. Speaker, I would like to thank once again the members of my subcommittee and the other cosponsors of this bill for their endorsement and their continuing, tireless efforts to assist Federal workers and retirees. H.R. 3384 incorporates positive changes to improve the Federal Health Insurance and Retirement Programs for the benefit of all Federal workers and retirees. I urge my colleagues to vote for this legislation.

□ 1225

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3384, the Federal Employees Benefits Improvements Act of 1985, and urge that the House suspend the rules and approve this important legislation.

I am pleased to be a sponsor of this legislation, and want to point to the strong support that it has received from both sides of the aisle.

This legislation is very timely, as we urgently need to enact legislation to facilitate health premium refunds for our retirees. Current law does not permit Federal retirees to participate in the rebates being offered to participants in 11 Federal health benefit plans. This legislation will allow retirees to receive these refunds.

The legislation contains a number of other important provisions.

I am especially pleased with the section which restores the use of nonphysician providers in medically underserved areas, such as Alaska. In many remote areas of my State, nurse practitioners and other nonphysician medical personnel are the only source of medical care. They provide vital services, and it is important that patients be able to employ them under the FEHBP.

The removal of the 75-percent cap on Government contribution to the FEHBP can act as a cost containment provision as well as a benefit improvement. The provision which mandates an annual open season for health benefit plans is also helpful.

With respect to former spouse benefits, the amendments in H.R. 3384 are consistent with the original intent of the legislation that the distinguished Chair of the subcommittee introduced last year and was enacted into law.

I want to acknowledge the hard work that has gone into this bill, both by the staff of the Post Office and Civil Service Committee, and that of the Office of Personnel Management. It is a pleasure to work in a legislative environment of compromise and consensus, where the goal of improving the operation of the Federal health benefit system is of primary importance.

Mr. Speaker, again I urge that the House suspend the rules and approve the Federal Employees Benefit Improvements Act of 1985.

Ms. OAKAR. Mr. Speaker, I yield myself such time as I may use to conclude. What we are trying to do is offer an opportunity to reimburse the workers and the retirees because of the surplus in some of the reserve plans. We are also trying to add some reform at the same time to the health insurance plan.

We are going to take a look at who should be reimbursed which in the future I hope saves money for our Government, and at the same time provides the outstanding health care

that we hope is given to our workers, and we do also have some reform relative to spouse equity, and in making some changes that are more or less technical but will alleviate some of the burdens of some of the women.

Mr. VENTO. Will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman.

Mr. VENTO. I thank the gentlewoman for yielding to me and commend the subcommittee for the work that they are doing in terms of providing the rebates for retirees; as I understand by law they are not permitted to receive a rebate.

More importantly, to amplify the concerns with respect to providing adequate coverage for other types of health ailments; mental health and others, because often these can be very high cost to individuals that work in Federal employment, and certainly we ought to afford the best possible coverage that we can in these areas.

Just to point out in question form to the gentlewoman from Ohio [Ms. OAKAR], the able leader of the subcommittee: What is the cause of these rebates? My understanding was that a substantial amount of coverage to Federal employees was lost by administrative action in 1981. That is to say that benefits were cut.

The consequence, of course, also meant that the amount of coverage that the individual had therefore cost less, so that was a factor. The point is that these rebates will be a poor bargain for most Federal employees if, during this period of time over which the rebate might cover, for instance, they were subject to a coverage that was less if they had mental illness or for other types of coverage that was substantially reduced.

So I ask this more in the way of a question, but also to point out to the Members that these rebates may come at a significant cost to the individual Federal employees that now have less coverage than what they had prior to the 1981 administrative actions.

Ms. OAKAR. I think the gentleman is correct.

Mr. Speaker, we think there are several reasons for the cause of the reserves. One is certainly the fact that the benefits were cut and the premiums were raised in the last 3 years, and that is a factor.

Another factor is that it appears that Government workers are using their health insurance program somewhat more prudently, and there has been some cost containment that in my judgment, some of which did not hurt the Government workers, and that is a positive sign.

It is always helpful if we see that in fact we have more reserves than are necessary, and I think the only adequate, fair way to deal with the issue is to in fact reimburse people for the

period of time, which will take place in 11 programs; some have different areas that they are going to deal with such as reducing the premium in the future, which will be a help to the Federal consumer.

The gentleman is correct, one of the difficulties was that, and of course the gentleman and I and others did fight those changes.

Mr. VENTO. Will the gentlewoman yield further?

Ms. OAKAR. I am happy to yield.

Mr. VENTO. I applaud the effects of competition. I applaud the fact that today Federal employees more than ever have more of a range of health care options, from group health care options to many others that are available and that there is more competition here, and that is good.

The fact is the policy path in terms of health care in the future that we should be following and that these insurance programs that we have at the national level should pursue, is that in which we deal with preventative health care, and to try to provide in fact to expand benefits so that more of the health care dollars will be spent on prevention and keeping people healthy rather than the catastrophic sort of events that often have been the focus of health care in the past.

That is to say the home health care type of treatment; preventative treatment such as flu shots and other things. In other words, by expanding coverage of these services, we become better consumers, and by doing so we hold down the overall cost and consequently there is not the sort of catastrophic events that have typified health insurance coverage in the past.

Again, I wanted to point this out, because especially the one element that you brought in, a large, expanding area of health coverage, mental health; and to go back on that in the end may cost us a lot more money.

I hope that they will seriously explore this good suggestion from the subcommittee with regard to that type of coverage.

I again thank the gentlewoman from Ohio [Ms. OAKAR] and thank her for her leadership.

Ms. OAKAR. I thank the gentleman, and suggest that he take a look at my Medicare reform bills that deal with prevention, because I believe strongly that that is one of the elements that can better serve consumers and at the same time save a lot of money.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 3384, the Federal Employees' Benefits Improvement Act of 1985. This legislation would amend and improve the health insurance and retirement programs for Federal employees. In order to insure that our Government employees are given the opportunity to benefit from an affordable and stable health plan, H.R. 3384 must be made into law.

In May 1985, hearings before the House Subcommittee on compensation and Employee Benefits dealt extensively with the accumulated excess reserves in the Federal Employees Health Benefits Program [FEHBP]. At the close of 1984, \$1.9 billion—or three times the amount considered necessary to assure program stability—had accumulated in program reserve accounts. To draw down excess reserves, 11 carriers will offer rebates to subscribers during the 1986 contract year. However, current law does not allow for such payments to be made to Federal retirees. H.R. 3384 would amend current law to enable all FEHBP enrollees to be eligible for rebates.

In addition, other changes are necessary to improve the FEHBP in order for enrollees to benefit from a more affordable, stable program with a greater variety of choice. H.R. 3384 includes seven additional provisions to accomplish these changes. These provisions were the subject of extensive hearings in the 98th Congress.

With respect to retirement benefits, H.R. 3384 amends several provisions in Public Law 98-615, a law passed last year to provide for survivor retirement benefits to former spouses of Federal workers. The bill makes technical changes in the law to clarify congressional intent.

Therefore, this bill incorporates positive changes to improve the Federal Health Insurance and Retirement Programs for the benefit of all Federal workers and retirees. Accordingly, I urge my colleagues to support this legislation.

Mr. MATSUI. Mr. Speaker, I rise today to voice my strong support of H.R. 3384, the Federal Employees Benefits Improvement Act. This bill, unanimously passed out of the Post Office and Civil Service Subcommittee on Compensation and Employee Benefits, merits the support of the entire House.

For a variety of reasons, including shorter hospital stays, more outpatient care and more attention to preventive health care, revenues from Federal health care program premiums have outstripped health care expenditures. By the end of 1984 the Federal Employees Health Benefits Program [FEHBP] reserve accounts had accumulated a \$1.9 billion surplus. Currently, 11 FEHBP providers are in the process of offering refunds to their subscribers. However, a technicality prevents payments to deserving Federal retirees. The law needs to be changed and a vote in favor of this bill will rectify this unfair situation by making all enrollees, including Federal retirees, eligible to receive refunds.

This legislation will also repeal the 75-percent cap on the Federal Government's contribution toward an enrollee's FEHBP premium. This adjustment, permitting up to a 100-percent contribution, would take effect beginning in 1988. The FEHBP would also be permitted to reimburse enrollees for health care they receive in medically underserved areas from nonphysicians.

As a member of the House Select Committee on Narcotics Abuse and Control, I

am well aware of the physical and mental health aspects of substance abuse. That is why I am especially pleased that the Federal Employees Health Benefits Improvement Act also expresses the sense of Congress that sufficient coverage for mental health and substance abuse be made available through the FEHBP.

I commend Representative OAKAR for her outstanding leadership in bringing this important legislation before the House of Representatives. I encourage all of my colleagues to support this important legislation.

Ms. OAKAR. Mr. Speaker, I have no further requests for time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio [Ms. OAKAR] that the House suspend the rules and pass the bill, H.R. 3384, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on and include extraneous material on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE AND JOHNSTOWN FLOOD NATIONAL MEMORIAL

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1963) to increase the development ceiling at Allegheny Portage Railroad National Historic Site and Johnstown Flood National Memorial in Pennsylvania, and for other purposes and to provide for the preservation and interpretation of the Johnstown Flood Museum in the Cambria County Library Building, Pennsylvania, as amended.

The Clerk read as follows:

H.R. 1963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS FOR HISTORIC SITE AND NATIONAL MEMORIAL

Section 5 of the Act of August 31, 1964 (78 Stat. 752), is amended by inserting "(a)" after "Sec. 5." and adding the following new subsection at the end thereof:

"(b) In addition to such sums as may have been authorized for development prior to the enactment of this subsection, effective

October 1, 1986, there is authorized to be appropriated not to exceed \$9,800,000 for the purposes of development at both Allegheny Portage Railroad National Historic Site and Johnstown Flood National Memorial."

SEC. 2. JOHNSTOWN FLOOD MUSEUM AGREEMENT.

Section 4 of the Act of August 31, 1964 (78 Stat. 752), is amended by inserting "(a)" after "Sec. 4." and by adding the following new subsection at the end thereof:

"(b) In furtherance of the purposes of this Act, the Secretary of the Interior is authorized to enter into an agreement with the Johnstown Flood Museum Association, pursuant to which the Secretary may—

"(1) provide technical assistance to mark, restore, interpret, operate, and maintain the Johnstown Flood Museum, and

"(2) with funds appropriated specifically for the purpose, provide financial assistance to mark, restore, interpret, operate, and maintain the museum.

No Federal funds may be used to provide financial assistance to the Johnstown Flood Museum Association until the agreement referred to in this subsection has been executed. Financial assistance under paragraph (2) shall not cover more than 50 percent of the costs described in paragraph (2). The remaining share of such costs shall be provided from non-Federal funds, services, or materials, or any combination thereof. The Secretary may also accept the donation of the building and collection owned by the Johnstown Flood Museum Association and the parcel of land on which such building is situated. Following acceptance by the Secretary, such parcel shall be included within the boundary of the Johnstown Flood National Memorial without regard to any acreage limitations set forth in any other provision of law.

The SPEAKER pro tempore. Is a second demanded?

Mr. LAGOMARSINO. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1963 was introduced by our colleague JOHN MURTHA. The purpose of the legislation is to allow for a raise of \$9,800,000 in the combined development ceiling of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial. Additionally, the

legislation authorizes the Secretary of the Interior to enter into a cooperative agreement with the Johnstown Flood Museum Association to provide technical and financial assistance to the Johnstown Flood Museum.

The Allegheny Portage and Johnstown flood sites, both located in Cambria County, PA, were authorized by Congress in 1964. While the sites are geographically close, they commemorate and interpret two distinct events in our American past.

The Allegheny Portage Railroad constructed between 1831 and 1834, was an engineering wonder of its day. To transport machines and freight up and over the 2,291 foot point in the Allegheny Mountains, the Portage system used a series of 10 inclined planes that functioned as stairs up the mountain. As the first railroad crossing of the Allegheny Mountains, the Portage system was important to early westward expansion.

The Johnstown Flood National Memorial is located at the remains of the South Fork earthen dam, which broke in May 1889 triggering the Johnstown flood. The flood destroyed the city of Johnstown and claimed some 2,200 lives. The Johnstown flood was the major news event of the period, rallying an outpouring of aid and humanitarian assistance unmatched since the Civil War.

The increase in development authority as authorized will permit the National Park Service to undertake park development projects contained in the 1980 general management plan for these two park units. These projects include construction of a visitor center for the Johnstown Memorial; rehabilitation of the historic Lemon House at Allegheny portage for visitor and administrative use; stabilization of historic structures; and trail and road upgrading. As reported by the committee, the new development ceiling is effective October 1, 1986.

H.R. 1963 also authorizes the Secretary of the Interior to enter into a cooperative agreement to provide technical and financial assistance to the Johnstown Flood Museum. Housed in the historic Cambria County Library Building, the nonprofit Johnstown Flood Museum has what is considered the most extensive collection in existence of photos and documents relating to the flood. The authorization for the cooperative agreement is designed to further the availability of the museum collection to the park visitor, so as to enhance the visitor's understanding of this tragic historical event. Financial assistance to the museum is subject to a specific appropriation. Further, the bill, as amended, limits any Federal contribution made to the museum to not more than 50 percent of the museum's operation and maintenance costs.

Mr. Speaker, I want to commend my colleague Representative MURTHA, for his initiative in introducing H.R. 1963 and for his help in moving the legislation forward. The gentleman from Pennsylvania is not only a strong supporter of the Allegheny portage and Johnstown flood sites, but of the entire National Park System as well.

H.R. 1963, as amended, is a worthy proposal to further the development and management of these two park units. I urge the legislation's adoption.

□ 1235

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to briefly comment on H.R. 1963. As you know, this bill would authorize a \$9.8 million increase in the development ceiling for the Allegheny Portage Railroad National Historic Site and Johnstown Flood National Memorial in Pennsylvania.

As the ranking Republican of the National Parks and Recreation Subcommittee, I am in basic agreement with this legislation and believe it represents the intent of Congress when these Park Service units were authorized in 1964. At that time, the development ceiling was set at \$2 million and has been subsequently increased to \$6 million. Although only approximately \$1.7 million has been appropriated and expended on these units—leaving a ceiling of about \$4 million—it is my understanding that Representative MURTHA, the bill's author, intends to seek appropriations exceeding this level in fiscal year 1986 for the construction of a visitor's center and entrance road improvements. The projects proposed to be funded under the increased development ceiling are all contained in the 1980 general management plan by the National Park Service.

This bill also authorizes the Park Service to provide technical and financial assistance to the Johnstown Flood Museum Association for the purposes of interpretation, operation and maintenance of the museum. While, I am concerned about this provision in view of the current fiscal condition of our Nation, I want to commend the chairman of our subcommittee for his amendments which, I believe, make this provision more acceptable. The amendments require that no financial assistance may be provided to the museum until the cooperative agreement between the Park Service and the Johnstown Flood Museum Association is executed; Federal funds may not cover more than 50 percent of the costs; and the remaining share of the costs must be provided by the private sector. While passage of this legislation will result in the expenditure of future Federal funds for operation and maintenance of the museum, I believe

the chairman's amendments will insure that the funding will be minimal.

Mr. Speaker, as you know, the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial serve to commemorate two important historical events in our Nation's history—the first crossing of the Allegheny Mountains which connected the East with the West, and the tragic Johnstown flood of 1889 which, in providing aid to the victims, brought the North and South together in a spirit of unity for the first time since the Civil War. I think it is entirely appropriate that the Park Service develop and interpret these important historic sites which was the intent of Congress when the units were established 21 years ago. H.R. 1963 would assist in this effort by providing the necessary funding authorizations to implement the Park Service plans.

The National Parks and Recreation Subcommittee held a hearing on H.R. 1963 on July 16 and recommended the bill to the full committee, as amended, on September 12. The Interior Committee favorably reported the bill to the House, as amended, by voice vote on September 17. I urge all of my colleagues to support this legislation.

Mr. VENTO. Mr. Speaker, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Speaker, I thank the gentleman for his support and participation in developing the amendments to this bill. It is important, I think, too, to note that 20 years ago there was a commitment made in terms of the designation of these two distinct sites, and now we are down the road 20 years and it is time to move forward so that we fulfill the promise in terms of serving the public that might visit these sites. There are two distinct structures here. The authorization of the Johnstown area for the administration building is not adequate to complete that, much less to begin on the historic preservation of the Lemon House and other historic structures at the Allegheny Portage site. So it is fine to put these things into the park system, but I think at some point we have to move forward.

The gentleman from Pennsylvania [Mr. MURTHA] has been very cooperative in working with us in the National Park System. I am hopeful that he will be successful in winning approval of these funds so that they can finally realize the potential which existed when these sites were designated so many years ago.

Mr. Speaker, I appreciate the gentleman's support for this. I wanted to point out those facts.

Mr. LAGOMARSINO. Mr. Speaker, I have no further requests for time,

and I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 1963, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2451

Mr. SMITH of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2451.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1409, MILITARY CONSTRUCTION AUTHORIZATION ACT, 1986

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 196 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 196

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1409) to authorize certain construction at military installations for fiscal year 1986, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections, and each title shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto

to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of the bill H.R. 1409, it shall be in order to take from the Speaker's table the bill S. 1042 and to consider said bill in the House. It shall then be in order (1) to move to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 1409 as passed by the House, and (2) to move to insist on the House amendment to the said Senate bill and to request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTI] for purposes of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 196 is an open rule providing for the consideration of H.R. 1409, the Military Construction Authorization Act for fiscal 1986.

The rule provides for two hours of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

The rule makes in order the committee amendment in the nature of a substitute now printed in the bill as original text for the purpose of amendment under the 5-minute rule. To expedite consideration, the rule provides that the substitute shall be considered by titles, instead of by sections, and each title shall be considered as read.

There is also one motion to recommit with or without instructions.

After the passage of H.R. 1409, the rule provides for the consideration of S. 1042 in the House. It shall then be in order to move to strike the Senate language and to insert the provisions of H.R. 1409 as passed by the House. It shall further be in order to move to insist on the House amendment and to request a conference with the other body.

Mr. Speaker, H.R. 1409 authorizes about \$9.5 billion for fiscal 1986 for construction activities at military facilities both in the United States and overseas. This amount is about \$762 million below the requested level.

Included in the bill is \$21.9 million in authorization for six projects at Wright-Patterson Air Force Base. The largest project is a \$12.8 million addition to the Air Force Institute of Technology [AFIT], which offers graduate and professional continuing education programs to over 11,000 students each year. AFIT students are being trained to become the designers of the next generation of weapons systems, the builders of future Air Force bases, and the managers of advanced logistics systems. AFIT's programs are specially designed to meet the unique educational requirements of tomorrow's Air Force, and are not offered at other institutions. It is no exaggeration to say that the ability of the Air Force to fulfill its mission in the future depends heavily upon the quality of education offered at AFIT today.

Mr. Speaker, I am not aware of any opposition to this open rule on H.R. 1409, and I would urge my colleagues to adopt it.

□ 1250

Mr. LATTI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are no problems in this rule. It is a completely open rule. There are no waivers of points of order. The rule even provides 2 hours of general debate, which should be more than sufficient to discuss the bill.

Mr. Speaker, this bill authorizes \$9.55 billion for military construction, which is \$759 million less than originally requested by the administration.

However, at the time of the Rules Committee meeting, the Office of Management and Budget sent a policy statement supporting the levels in this bill. This bill is consistent with the compromise deficit reduction agreement approved by the other body.

I might say, Mr. Speaker, that the administration will, however, work in conference to have certain provisions of the bill modified to more closely conform to the details of its request.

Mr. Speaker, if we are going to have a military, then we have got to have the structures to support it. This bill provides that necessary support.

I have no requests for time, and I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1787, EXPORT-IMPORT BANK ACT OF 1945 AMENDMENTS

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 192 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 192

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1787) to amend the Export-Import Bank Act of 1945, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour,

to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Banking, Finance and Urban Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTI], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 192 is an open rule which provides for the consideration of H.R. 1787, the Export-Import Bank Act Amendments of 1985. The rule provides for 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs. The rule also makes in order the amendment in the nature of a substitute recommended by the Committee on Banking, Finance and Urban Affairs as an original bill for the purpose of amendment. Finally, Mr. Speaker, the rule makes in order one motion to recommit with or without instructions.

Mr. Speaker, H.R. 1787 authorizes appropriations for the Export-Import Bank through fiscal year 1987. The provisions of the bill will be fully detailed by the members of the Banking Committee. I would like to take this opportunity, however, to congratulate the members of the Committee on Banking, Finance and Urban Affairs for their work on this bill.

The Banking Committee took responsible fiscal action during their deliberations on this measure to lower the cap on the Direct Loan Program of the Export-Import Bank by some \$1.5 billion. The new cap, \$2.36 billion, is well below the level assumed in the House budget resolution and will result in a reduction of the deficit in fiscal year 1986 of some \$100 million. I hope this responsible committee action will set a standard for subsequent action by the other authorizing committees of the House.

In conclusion, Mr. Speaker, I would also note that the Committee on Rules is aware of the interest on the part of some Members in offering amendments to the bill to either substitute the administration's interest subsidy "I-Match" Program in place of the existing Direct Loan Program, or implement some type of demonstration program along those lines. Any such amendments, assuming they comply with the rules of the House, will be in order when this bill is considered.

Mr. Speaker, this is a very simple, straightforward rule. It contains no waivers of points of order and will allow full and open consideration of this important legislation. I urge adoption of the rule.

Mr. LATTI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Ohio has already indicated, this is an open rule, providing for 1 hour of general debate.

The rule is very noncontroversial. But let me just say something about this bill, that there is some opposition to this legislation. The bill that this rule makes in order, H.R. 1787, extends the authority of the Export-Import Bank to enter into new loan and guarantee commitments from September 30, 1986, through September 30, 1987.

It prohibits the direct subsidy payments to commercial lenders and limits direct loans in fiscal year 1986 to \$2.36 billion.

The bill would also permit an Export-Import Bank director whose term has expired to serve until a successor is named.

The minority filed minority views on this matter. They believe that the administration should be encouraged in its efforts to place greater constraints on the amounts and types of financing subsidies extended to U.S. exporters, since we are faced with some record budget deficits.

In this regard, they state that a majority of the minority members on the committee support the administration proposal to establish an interest subsidy program, which will enable the Eximbank to continue to meet foreign official subsidized competition.

They also support further reduction in the Exim direct credit loan ceiling.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no requests for time, and if the gentleman from Ohio [Mr. LATTI] does not have any, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REQUEST TO AUTHORIZE THE SPEAKER PRO TEMPORE TO DECLARE RECESS UNTIL 1:30 P.M. TODAY

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent that it be in order for the Speaker pro tempore to declare a recess until 1:30 p.m. today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. SENSENBRENNER. Mr. Speaker, reserving the right to object, I would ask the gentleman from Ohio to explain what is the nature of this request, which is somewhat unusual on a day when we have little legislative business.

Mr. HALL of Ohio. Apparently, Mr. Speaker, if the gentleman will yield so I may respond to the question, it is to give the Ways and Means Committee some time to get their report and their act together on the tobacco bill that is going to be before us.

Mr. SENSENBRENNER. Mr. Speaker, further reserving the right to object, I see the chairman of the Ways and Means Committee, the gentleman from Illinois, present in the Chamber, and I would be happy to yield to him for an explanation of what bills he intends to bring to the floor without notice.

Mr. ROSTENKOWSKI. If the gentleman from Wisconsin will yield, as the gentleman is aware, there is going to be considered, I hope by unanimous consent, the Emergency Extension Act, which includes the extension of the cigarette tax, the borrowing authority on railroad retirement unemployment insurance, the trade adjustment assistance authority, and the Medicare hospital and physician reimbursement rule.

These are all measures that are expiring tonight. The bill was approved by unanimous vote of the members of the Ways and Means Committee. It is my hope to consider this measure extending the present law for 45 days. And the reason I have requested the recess is, the minority has not yet arrived, and I was under the impression that we would meet in the Committee on Ways and Means and then come over to deliberate on this. However, I understand that time to discuss this issue with the committee has elapsed.

Mr. SENSENBRENNER. Further reserving the right to object, is it the intention of the majority to bring up the bill extending the present dairy program as well?

Mr. ROSTENKOWSKI. I defer to the House leadership on that question. But it is my understanding that if they can, they will.

Mr. SENSENBRENNER. Further reserving the right to object, as the gentleman from Ohio knows, I would be very interested in that as well. I think with the adjustment of the schedule that seems to be developing here on

the floor, the Members should have as much notice as possible on precisely what is to be brought up. I have no objection to the gentleman from Illinois bringing the Ways and Means bill up, but I am wondering if this is going to be a never-ending panoply of bills that have to be passed because some program expires at midnight tonight.

I would yield to the gentleman from Ohio if he could shed some further light on this subject.

Mr. HALL of Ohio. Mr. Speaker, on these days, on Monday, quite often there are a lot of things going on in various committees, and we had expected to be ready to go after these two rules had come up. This is an unusual circumstance when in fact we are waiting for Members to come to the floor and reports to be done and things to be considered. It is my understanding that with this recess we will be able to get things in order and come back to the floor and be more organized than what we appear to be right now.

Mr. SENSENBRENNER. Further reserving the right to object, I hesitate giving the majority party unanimous consent for a complete blank check on what to bring up. And unless the gentleman from Ohio, who propounded the unanimous consent request, is a little bit more specific and limits what the further program is going to be, I will be constrained to object.

I yield to the gentleman from Ohio, if he can give the body some kind of specific list of what is being brought up which will not be exceeded.

Mr. HALL of Ohio. If I may further respond to the gentleman, it is my understanding that there will only be two things considered today. It is this extension that is presently before us, as the gentleman from Illinois [Mr. ROSTENKOWSKI] mentioned, and the farm extension. Those are the only two matters.

Mr. SENSENBRENNER. Further reserving the right to object, Mr. Speaker, with the understanding that the Ways and Means Committee bill described by the gentleman from Illinois [Mr. ROSTENKOWSKI] and the farm extension bill just referred to by the gentleman from Ohio will be the only items on the agenda after we reconvene at 1:30, I withdraw my reservation of objection.

The SPEAKER pro tempore. If there is no further objection to the request of the gentleman from Ohio, it is agreed to, and the House is in recess—

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I see that the minority has arrived. If it is within the purview of the Chair, we would like to continue.

The SPEAKER pro tempore. Does the gentleman from Ohio [Mr. HALL]

wish to withdraw his request for a recess?

Mr. HALL of Ohio. Mr. Speaker, I withdraw the request.

EMERGENCY EXTENSION ACT OF 1985

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3452) to extend for 45 days the application of tobacco excise taxes, trade adjustment assistance, certain Medicare reimbursement provisions, and borrowing authority under the railroad unemployment insurance program.

The Clerk read the title of the bill.

□ 1305

The SPEAKER pro tempore (Mr. HALL) of Ohio. Is there objection to the request of the gentleman from Illinois?

Mr. FRANK. Mr. Speaker, reserving the right to object, I do so because I would like to ask the gentleman from Illinois, I had expected that the Superfund extension would also be in this legislation since the Superfund is expiring today.

I would ask the gentleman to tell me what the intention of the committee is with regard to Superfund.

I yield to the gentleman from Illinois for his response.

Mr. ROSTENKOWSKI. I thank the gentleman for yielding to me.

Mr. Speaker, there was, originally, the intention of including Superfund in this extension legislation. However, there were certain objections that were going to be raised. The Committee on Ways and Means felt that the extension of the other provisions included in this legislation was important enough that the committee granted its chairman the opportunity to include or to exclude Superfund.

I would say to the gentleman that it is my intention, however, if the leadership agrees, to take up an extension of Superfund separately tomorrow on the Suspension Calendar. The Superfund legislation can be extended tomorrow without the detrimental effect that would occur in the case of a delayed extension of the cigarette excise tax.

Mr. FRANK. I thank the gentleman very much. I appreciate that the objection did not come from himself and that the gentleman's effort was to keep the Superfund going.

Do I correctly understand the gentleman from Illinois that Superfund will be on the Suspension Calendar tomorrow for a 45-day extension?

Mr. ROSTENKOWSKI. Accordingly, if the leadership agrees, we would consider Superfund tomorrow.

Mr. FRANK. In my experience, the gentleman's record of getting the leadership to agree is sufficiently good for

me to have some assurances based on that. With the gentleman having made it clear that the Superfund extension will be on the Suspension Calendar tomorrow, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. CAMPBELL. Mr. Speaker, reserving the right to object, and I shall not object, I just wanted to weigh in from the minority side to inform everyone that this was a unanimous decision in the Ways and Means Committee. It was agreed to. The chairman has been open about it. His problem with the Superfund was not his making, and he was given the latitude to try to deal with it with the general membership, and of course, he has done that.

Mr. Speaker, with that, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. ROSTENKOWSKI]?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, I further ask unanimous consent that the Committee on Energy and Commerce be discharged from consideration of this legislation. This is with their consent.

The SPEAKER pro tempore. The Chair will state that the gentleman's initial request for consideration of the bill will take care of that.

The Clerk read the bill, as follows:

H.R. 3452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Extension Act of 1985".

SEC. 2. 45-DAY EXTENSION OF INCREASE IN TAX ON CIGARETTES.

Subsection (c) of section 283 of the Tax Equity and Fiscal Responsibility Act of 1982 (relating to increase in tax on cigarettes) is amended by striking out "October 1, 1985" and inserting in lieu thereof "November 15, 1985".

SEC. 3. 45-DAY EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.

Section 285 of the Trade Act of 1974 (19 U.S.C. note preceding section 2271) is amended by striking out "September 30, 1985" and inserting in lieu thereof "November 14, 1985".

SEC. 4. 45-DAY EXTENSION OF BORROWING AUTHORITY UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

Section 10(d) of the Railroad Unemployment Insurance Act is amended by striking out "September 30, 1985" each place it appears and inserting in lieu thereof "November 14, 1985".

SEC. 5. 45-DAY EXTENSION OF MEDICARE HOSPITAL AND PHYSICIAN PAYMENT PROVISIONS.

(a) MAINTAINING EXISTING HOSPITAL PAYMENT RATES.—Notwithstanding any other provision of law, the amount of payment under section 1886 of the Social Security Act for inpatient hospital services for dis-

charges occurring (and cost reporting periods beginning) during the extension period (as defined in subsection (c)) shall be determined on the same basis as the amount of payment for such services for a discharge occurring on (or the cost reporting period beginning immediately on or before) September 30, 1985.

(b) MAINTAINING EXISTING PAYMENT RATES FOR PHYSICIANS' SERVICES.—Notwithstanding any other provision of law, the amount of payment under part B of title XVIII of the Social Security Act for physicians' services which are furnished during the extension period (as defined in subsection (c)) shall be determined on the same basis as the amount of payment for such services furnished on September 30, 1985, and the 15-month period, referred to in section 1842(j)(1) of such Act, shall be deemed to include the extension period.

(c) EXTENSION PERIOD DEFINED.—For purposes of this section, the term "extension period" means the period beginning on October 1, 1985, and ending on November 14, 1985.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 1 hour.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3452, the Emergency Extension Act of 1985 is extremely important legislation. It includes a short, 45-day extension of five issues that would otherwise expire at midnight tonight.

The items which would be extended through November 14, 1985, by H.R. 3452 are:

First, the 16 cents per pack cigarette excise tax;

Second, borrowing authority for the railroad unemployment insurance account;

Third, trade adjustment assistance authority; and

Fourth, Medicare hospital and physician reimbursement rules.

I want to emphasize that each of these extensions is simply an extension of current law. There are no policy changes in the 45-day extension in this bill.

Long-term extensions of these provisions, with or without modifications, will be considered by the House in the very near future in separate legislation. For example, four of the five provisions to be extended are addressed in the Deficit Reduction Act of 1985 (H.R. 3128) which has already been reported by the Committee on Ways and Means.

The Committee on Ways and Means has unanimously approved this 45-day emergency extension legislation. Its enactment will minimize confusion and administrative disruption. It will prevent the loss of revenue due to the expiring excise taxes and increased costs to Medicare. Also it will protect individuals, such as unemployed railroad workers, from bearing the costs of congressional delay.

I have attached to my statement a more detailed description of the provisions before us.

In the interest of avoiding unwarranted disruptions, I urge approval of H.R. 3452.

I. SUMMARY

1. Temporary extension of cigarette excise tax rates

The bill extends the present cigarette excise tax rates (i.e., 16 cents per pack for small cigarettes) from October 1, 1985 through November 14, 1985.

2. Temporary extension of trade adjustment assistance programs

The bill extends the trade adjustment assistance (TAA) programs from September 30, 1985 through November 14, 1985.

3. Temporary extension of the authority for the Railroad Unemployment Insurance Account to borrow from the Railroad Retirement Account

The bill extends for 45 days (through November 14, 1985) the authority for the Railroad Unemployment Insurance account to borrow from the Railroad Retirement account.

4. Temporary extension of Medicare hospital and physician payment provisions

a. Medicare Hospital Payment Program

Under the bill, Medicare hospital payment rates remain at the current levels for a 45-day period, implementation of a new wage index would be deferred, and the proportions of hospital-specific and Federal DRG components in the prospective payment amounts would remain unchanged during the 45 days, October 1–November 14, 1985.

b. Medicare Physician Payment Program

Under the bill, Medicare physician reimbursement amounts would remain at current levels for the 45-day period, October 1–November 14, 1985.

II. EXPLANATION OF THE BILL

1. Temporary extension of cigarette excise tax rates

Present law

An excise tax is imposed on cigarettes manufactured in or imported into the United States (Code sec. 5701(a)). The present tax rate on small cigarettes is \$8 per thousand (i.e., 16 cents per pack of 20 cigarettes). The tax rate on large cigarettes generally is \$16.80 per thousand; proportionately higher rates apply to large cigarettes that exceed 6.5 inches in length. Small cigarettes, which comprise most taxable cigarettes, are cigarettes weighing no more than 3 pounds per thousand.

The present cigarette excise tax rates are scheduled to decrease by one-half on October 1, 1985 (e.g., to 8 cents per pack of 20 for small cigarettes).

H.R. 3128, reported by the committee on July 31, 1985, would extend the present-law cigarette excise tax rates on a permanent basis. H.R. 3128 is scheduled for consideration as part of budget reconciliation.

Reasons for change

The committee believes that the present cigarette excise tax rates should be extended on a permanent basis, but that this permanent extension should be enacted only as part of budget reconciliation. The October 1, 1985, scheduled reduction in those rates is imminent. To permit cigarette tax rates to decline and then be increased again could cause economic distortions in the market for that product and hardship

for the business involved, and would also lose revenue to the Government. The committee determined, therefore, that a temporary extension of the present tax rates is necessary to allow Congress adequate time to consider this issue as part of the budget process.

Explanation of provision

The bill extends the present cigarette excise tax rates for 45-days, through November 14, 1985.

Effective date

The cigarette excise tax rate extension applies to cigarettes removed after September 30, 1985, and before November 15, 1985.

Revenue effect

This provision is estimated to increase net fiscal year budget receipts by \$210 million in 1986, and not affect future fiscal years.

2. Temporary extension of trade adjustment assistance programs

Present law

The trade adjustment assistance (TAA) programs under the Trade Act of 1974 for workers and firms adversely affected by increased import competition terminate by statute on September 30, 1985.

Reasons for change

Section 221 of H.R. 3128, "Deficit Reduction Amendments of 1985", as reported by the Committee on Ways and Means, reauthorizes the TAA programs for four years until September 30, 1989. The Senate Committee on Finance has also agreed to reauthorize TAA as part of its budget reconciliation legislation. The Continuing Resolution for FY 1986 (H.J. Res. 388) as passed by the House and Senate continues funding for worker and firm TAA at present fiscal year 1985 levels until November 14, 1985.

The purpose of the provision is to remove any possible question as to legislative intent and the legality of spending funds included in the Continuing Resolution for present TAA programs during the 45-day period following the expiration of current authority on September 30, 1985, pending completion of House and Senate consideration of the reauthorizing legislation.

Explanation of provision

The bill changes the TAA termination date under section 284 of the Trade Act of 1974 from September 30, 1985 to November 14, 1985.

3. Temporary extension of the authority for the Railroad Unemployment Insurance Account to borrow from the Railroad Retirement Account

Present law

The Railroad Unemployment Insurance account can borrow from the Railroad Retirement Account if there are insufficient funds in the unemployment account to pay benefits to unemployed rail workers. This authority expires on September 30, 1985.

The borrowing authority is permanently extended in both H.R. 3128, reported by the Committee on Ways and Means on July 31, 1985, and in the reconciliation bill approved on September 20, 1985, by the Senate Committee on Finance.

Reasons for change

About 40,000 unemployed rail workers are currently receiving unemployment and sickness benefits payable from the unemployment account. If the account were to be depleted, benefits to these workers would cease if the account could not borrow. The Railroad Retirement Board has developed a contingency plan to reduce unemployment

benefits by \$25 a week in the event that reserves in the unemployment account are substantially reduced. The Board initially intended to implement the reduction in benefits on October 1, 1985, but has suspended implementation of the plan because account balances appear sufficient to pay full benefits at the present time.

A temporary extension of the borrowing authority will provide certainty that full unemployment benefits will be paid to unemployed rail workers.

Explanation of provision

The bill extends the authority for the unemployment account to borrow from the retirement account through November 14, 1985.

4. Temporary extension of Medicare hospital and physician payment provisions

a. Maintaining Existing Hospital Payment

Present law

Present law provides that the Medicare prospective payment rates should be updated annually by the Secretary of Health and Human Services. Regulations implementing the revised rates are required to be published September 1, for implementation October 1 of each year. The law states that the update should reflect increases in hospital input prices but, for FY 1986, may not exceed the rate of increase in the hospital market basket plus one quarter of a percentage point. These regulations also implement other adjustments to the prospective payment system such as wage index adjustments, revisions of the weights assigned to the diagnosis related groups (DRGs), etc.

Reasons for change

The Committee on Ways and Means has already approved legislation (H.R. 3128, the Deficit Reduction Amendments of 1985) that would make significant changes in the PPS and PPS-exempt hospital payment rates, as has the Senate Committee on Finance, which has approved different legislation. The Committee on Ways and Means believes that a temporary freeze on payment rates at the September 30, 1985 level, will minimize confusion and simplify the administration of the Medicare program.

Explanation of provision

The bill retains, for an additional 45 days, the current Medicare payment rates for hospitals under section 1886 of the Social Security Act. The provision applies both to prospective payment (PPS) hospitals and to PPS-exempt hospitals.

Regulations prepared pursuant to current law for implementation as of October 1, 1985, would not be implemented on that date. Thus, hospital payment rates would be frozen, at the September 30, 1985 levels, for the 45-day period. Implementation of a new wage index would be deferred, and the proportions of the hospital-specific and Federal DRG components in the prospective payments amounts would remain at the fiscal year 1985 levels during the 45-day period.

b. Maintaining Existing Payment Rates for Physicians' Services

Present law

Medicare pays for physician services on the basis of Medicare-determined "reasonable charges." Reasonable charges are the lowest of: (1) a physician's billed charge; (2) the charge customarily made by an individual physician; or (3) the prevailing charge limit, derived from charges made by all physicians for services in a geographic area. The customary and prevailing charge screens are

generally updated annually, on October 1. Increases in the prevailing charge levels are limited by an economic index that reflects general inflation and changes in physicians' office practice costs.

Under the Deficit Reduction Act of 1984 (P.L. 98-369) the medicare customary and prevailing charges for all physicians' services provided during the 15-month period beginning July 1, 1984, are frozen at the levels that applied for the 12-month period ending June 30, 1984. The actual charges of nonparticipating physicians are also frozen during the 15-month period, at the levels they charged during April-June 1984.

The Deficit Reduction Act also instituted a medicare participating physician and supplier program. Participating physicians and suppliers voluntarily agree to accept assignment on all medicare claims for the 12-month period beginning on October 1 of a year. Nonparticipating physicians and suppliers can decide on a claim-by-claim basis whether or not to accept assignment.

Reasons for change

A continuation of the freeze on medicare payment rates for physicians' services is intended to prevent confusion that may ensue from lifting the freeze, given the likelihood that the Congress will pass legislation in the very near future to extend the freeze on medicare payments to nonparticipating physicians and on their actual charges to beneficiaries.

Without the extension, the freeze on nonparticipating physicians' actual charges would lapse on October 1, 1985, with the possible consequence that nonparticipating physicians would increase their charges to beneficiaries. The Committee is especially concerned that medicare beneficiaries be protected from such increases in out-of-pocket costs.

Explanation of provision

The bill extends provisions of law now in effect to provide for a 45-day extension period, during which medicare payments would be made at the levels in effect on September 30, 1985. The freeze on nonparticipating physicians' actual charges to beneficiaries is also extended for the 45-day period.

The bill does not alter the duration of the physician participating agreements. Rather, the participating decisions physicians make for the year beginning October 1, 1985 would determine whether they are participating or nonparticipating physicians for that year.

III. BUDGET EFFECTS

In compliance with clause 7 of Rule XIII of the Rules of the House of Representatives, the following statement is made concerning the effect on the budget of the bill as reported.

From the Congressional Budget Office baseline budget assumption, the bill will reduce the fiscal year 1986 budget deficit by \$440 million, as follows:

Fiscal year 1986 deficit reduction		Millions
Cigarette excise tax extension (net revenue increase).....		\$210
Medicare provisions:		
(a) Hospital payments (outlay reduction).....	175	
(b) Physician payments (outlay reduction).....	55	
Total deficit reduction.....	440	

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from South Carolina.

Mr. CAMPBELL. I thank the gentleman for yielding to me.

Mr. Speaker, I want to thank the gentleman and make sure that we are absolutely clear that we are dealing strictly with an extension of expiring provisions. Should we not extend, that we will have a substantial loss of revenue and excise taxes, and it would create severe disruption in other programs, and that this is merely temporary until the legislation that has, in the instances of four of the items, cleared the Ways and Means Committee and had time to clear the Congress.

Mr. ROSTENKOWSKI. The gentleman is absolutely correct.

Mr. CAMPBELL. I thank the gentleman and I support the request and passage of this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 3452, EMERGENCY EXTENSION ACT OF 1985

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight, Monday, September 30, to file its report to accompany the bill, H.R. 3452, to extend for 45 days the application of tobacco excise taxes, trade adjustment assistance, certain medicare reimbursement provisions, and borrowing authority under the Railroad Unemployment Insurance Program.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 1562, TO ACHIEVE OBJECTIVES OF THE MULTIFIBER ARRANGEMENT AND PROMOTE ECONOMIC RECOVERY OF TEXTILE AND APPAREL INDUSTRY AND ITS WORKERS

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight, Monday, September 30, to file its report to accompany the bill, H.R. 1562, to achieve the objectives of the Multifiber Arrangement and to promote the economic recovery of the U.S. textile and apparel industry and its workers.

This request is made to accommodate minority views.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. If the gentleman would remain at the microphone for 1 minute, with respect to the first request which he made, since the House has already passed that bill. The filing of the report is not in order, and distribution of a committee print would be a satisfactory alternative.

Mr. ROSTENKOWSKI. I thank the Chair.

AGRICULTURE ACT OF 1949 EXTENSIONS

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute.)

Mr. DE LA GARZA. Mr. Speaker, I take this 1 minute to inform my colleagues that soon I will ask unanimous consent to bring up the bill, H.R. 3454, with which we have the same problem as the distinguished members of the Ways and Means Committee. There are several agriculture-related laws that expire at the end of this fiscal year. The legislation which we hope to bring up by unanimous consent is to extend them for 45 days. Both sides are agreed—the minority and the majority. We had expected to have a bill from the Senate, but unfortunately, they were somewhat delayed.

So we will endeavor to start on this side and approve the legislation and forward it to the Senate in order that it might be sent to the President today.

Mr. Speaker, it is our intention to do this, this afternoon. I cannot say any more than that it is needed for technical reasons and very practical reasons in that a couple of those laws will entail a lot of money.

If they are not extended, they would end at the fiscal year and revert to permanent law which would be much more expensive. We are working on, H.R. 2100, the farm legislation we are trying now to modify and extend for several years.

AGRICULTURE ACT OF 1949 EXTENSION

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (H.R. 3454) to extend temporarily certain provisions of law, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. SENSENBRENNER. Mr. Speaker, reserving the right to object, I take this time to have the gentleman from Texas [Mr. DE LA GARZA] explain the bill, and I yield to the gentleman for that purpose.

□ 1315

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman for yielding.

The bill as introduced extends the Food Stamp Program, all of the Food Stamp Program, and it includes also a special provision for Puerto Rico. The bill also extends the dairy program, which would expire at the end of the fiscal year.

This is very important, I might add, if the gentleman will allow me to proceed, because, if not extended, it will revert to permanent law, and the permanent law is much more expensive than what we are operating under now or what is expected from the legislation in the farm bill.

We also have a provision to extend a pilot program for the elderly in the food stamp SSI cash-out which is being studied. Then it has a technical provision for the cotton program, and this would entail the crop that has just been picked or is in the process of being picked. That is the extent of the legislation.

Mr. Speaker, if the gentleman will yield further and will allow me to proceed, I might add that we have been informed that the Senate is agreeable, and that this provision of 45 days is a compromise. I personally would have preferred 30 days. The Senate began with 60 days, and we have compromised at 45 days, and we have been assured that they will pick up the legislation when passed and then forward it on to the President.

Mr. SENSENBRENNER. Mr. Speaker, further reserving the right to object, would the gentleman from Texas kindly explain the amendment to the law that is made by section 3 of the bill? There are two paragraphs that insert some language that appears to be more than a simple extension of these programs for 45 days.

Mr. DE LA GARZA. Mr. Speaker, this is the cotton provision. It is basically technical in nature, and it is required because the 1986 cotton loan rate is tied to the 1986 upland cotton loan rate. That will not be finalized until we have finished with the farm legislation. So we are suspending it in order that this may go into effect when the farm legislation is approved. There was no controversy on this section in the farm legislation at all, but we are getting ahead of it. We have to suspend it pending the farm bill and reinstate it in the proper sequence in the legislation.

Mr. SENSENBRENNER. Mr. Speaker, I appreciate the explanations given by the gentleman from Texas, and I withdraw my reservation of objection.

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. MADIGAN. Mr. Speaker, reserving the right to object, under my res-

ervation I would quickly agree with the explanation that has been given by the gentleman from Texas. This does represent a compromise between the House and the Senate leadership which has been agreed to by everyone, and it is exactly as has been represented by the gentleman from Texas.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(d)(1)(B) of the Agricultural Act of 1949 (7 U.S.C. 1466(d)(1)(B)) is amended by striking out "September 30, 1985" and inserting in lieu thereof "November 15, 1985".

Sec. 2. Effective for the period beginning October 1, 1985, and ending November 15, 1985, section 19(a)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2028(a)(1)(A)) is amended by striking out "noncash".

Sec. 3. Section 103(h) of the Agricultural Act of 1949 (7 U.S.C. 1444(h)) is amended by—

(1) inserting " , or within 10 days after the loan level for the related crop of upland cotton is announced, whichever is later," after "effective" in the last sentence of paragraph (2); and

(2) in paragraph (4)—

(A) inserting "and announce" after "establish" in the first sentence; and

(B) striking out the second sentence.

Sec. 4. The last sentence of 17(b)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)) is amended by striking out "until October 1, 1985" and inserting in lieu thereof "through November 15, 1985".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICARAGUAN BORDER INCURSIONS INTO COSTA RICA

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin [Mr. SENSENBRENNER] is recognized for 5 minutes.

Mr. SENSENBRENNER. Mr. Speaker, between September 19 and 24, the gentleman from Ohio [Mr. DEWINE] and I visited Central America under the sponsorship of the National Defense Council Foundation. In all of the countries, it became painfully evident that the Sandinista government of Nicaragua has been committing aggression against its neighbors.

Most distressing are the numerous and repeated violations of the territorial sovereignty of Costa Rica. Costa Rica, we must remember, is a neutral nation, and a country which has no army. It has never posed a military threat to any other country in the region and can be proud of its democratic institutions. Yet, the Sandinistas have repeatedly violated the Costa Rican border.

Recently, Carlos Jose Gutierrez, Minister of Foreign Relations of Costa Rica, published a compendium of numerous Nicaraguan aggressions against Costa Rica from June 6, 1982, until August 16, 1985. What is remarkable about this paper is that it is not the typical one-sided propaganda piece such as those published in Managua, but an objective listing of all allegations of border and human rights violations by both sides, and the results of the diplomatic notes which have resulted from these incidents. By reading this document, one can easily see the Sandinistas have not stopped violating Costa Rica's border, but rather have increased their activities.

Perhaps the ultimate goal of the Sandinistas is to subjugate Costa Rica so it can no longer function as an independent and neutral nation. However, it is clear the immediate goal is to create a buffer zone on the Costa Rica border, not in Nicaragua, however, but in Costa Rica.

I call upon my colleagues to express outrage at the Nicaraguan campaign to compromise the neutrality of Costa Rica. So that my colleagues can see the extent of the Sandinista violations of Costa Rica's border, I include the full text of Foreign Minister Gutierrez' document, "Aggressions Against Costa Rica Committed by the Government of Nicaragua, Period: 1982-85" for insertion in the RECORD at this point:

[Ministry of Foreign Relations]

AGGRESSIONS AGAINST COSTA RICA

[Committed by Government of Nicaragua—Period: 1982-85]

INTRODUCTION

This document presents in a chronological and summarized way the events that have taken place at the Nicaraguan border zone since May 8, 1982, when Luis Alberto Monge assumed power as President of the Republic of Costa Rica.

Throughout this document it is clear that during these years Costa Rica and its government has been the target of a constant and permanent aggression manifest in the open and treacherous attacks against Civil Guard patrols, such as the one keeping guard at the border place of Las Cruces last May 31st, and the veiled threats coming from the highest political and military authorities of Nicaragua.

This publication is made because of the need for diffusing not only the events and their implications but also the position held by Costa Rica in the face of repeated violations of the national sovereignty and the integrity of our territory by the Sandinista military forces. The need becomes evident especially since, during the last years, Central America has captured the world's attention on . . . two facts: the confrontation between the United States and Nicaragua, and the civil war in El Salvador.

The situation that Costa Rica is living is not known world-wide. The main purpose of this publication is precisely to allow people who read it to learn about Costa Rica's position and standing within the Central American crisis.

It is difficult to find a state with less aggressive attitudes towards its neighbors than Costa Rica. Unilateral disarmament was decreed in 1949, the date in which the army was abolished as a permanent institution and incorporated into our Constitution. Moreover it is even more significant that this was accomplished by a president who got to power by means of weapons.

Since then, Costa Rica depends on a modest police force subject to a civil jurisdiction not a military one, for the preservation of the internal order and the security of its citizens, as much for the defense of national sovereignty.

On November 17, 1983, President Monge made known his Proclamation of Permanent, Active and Non-Armed Neutrality, to ratify the country's position in warlike conflicts affecting the Central American area and the maximum interest in the face of internal peace and dedication all Government efforts to solve the social and economic problems inherited by his Government.

As is evident in the following pages, even before President Monge proclaimed Costa Rica's neutrality, a continued aggression in the border zone from the Government of Nicaragua has been a main problem. Since the victory of Sandinista revolution, Nicaragua has consistently been building an army, superior in number and equipment to all Central American Armed Forces. The National Guard of Somoza has 7800 men. Today, in its place, there is a 50,000 man army and a 100,000 man and woman militia. The Nicaraguan Army has no less than 100 Soviet medium tanks, T-54 and T-55, 20 PT-76 amphibian tanks, and other 120 armored vehicles. It also has 120 anti-aircraft guns, 700 SA-7 skyrocket launchers, 10 MI-8 helicopters and 6 AN-2 aircraft of armored transportation. The military service is compulsory for all men over 17 years old and it is used not only for military preparation but for ideological indoctrination. The military forces have directed their actions, not only inside Nicaraguan territory but have projected themselves, with no respect for our sovereignty, and bringing on internationally worry, fear and anguish to Costa Rica villages on the border zone.

The present situation has not been well understood internationally. Nicaragua, the aggressor and militarized country presents itself as the victim of U.S. aggression which, as stated, is always ready to invade a defenseless nation with the aid of other Central American countries.

On the other hand, Costa Rica's international claims have not found more than a tepid support that, far from having constituted a reliable warning to the aggressor State, seems to encourage it to continue its actions.

We hereby present the true facts. It is the history of a country that has never been an aggressor: that not needing it, abolished the army as a permanent institution, accomplished its commitments and that, thanks to its peace and its representative democracy, has been able to make important strides in the fields of education, health, social welfare and communications.

With this publication, we hope that people who read it will understand that we have patient, and have dedicated all our efforts to solving our internal problems and that we have had confidence in the International Law and its organisms. The opportunity for a peaceful arrangement in Central America can pass, the victims can change their attitude and seek other defense means. The action which was undertaken by

the Contadora countries can evaporate itself as a beautiful dream that temporarily separated us from reality; reality to which we have to return when we open our eyes again: the Government of Costa Rica still trusts that the way to peace, justice and respect to the rights of people, will remain open. But at the same time, it considers necessary to make evident the aggressions that has suffered.

CARLOS JOSÉ GUTIÉRREZ,
Minister of Foreign Relations
of Costa Rica.

A REPORT OF INCIDENTS BETWEEN THE GOVERNMENT OF COSTA RICA AND THE GOVERNMENT OF NICARAGUA

1. JUNE 6TH, 1982

On this day, a tourism ship belonging to "Swiss Travel Service, S.A.", when heading towards Puerto Viejo on the San Juan River, was stopped by Nicaraguan military authorities: passengers were forced to land and their belongings were searched.

The Government of Costa Rica presented its protests to the Nicaraguan Government on the same date for the happenings that attempted against the rights of free navigation on the San Juan River; rights which are guaranteed by the *Cañas-Jerez Treaty* and the *Cleveland Decision*. Moreover, these occurrences damage the economic interests of the Country by directly affecting the arrival of tourists.

The note of protest was answered per Note E.N. 789/82 from the Nicaraguan Embassy, dated August 2nd, 1982, in which it was stated that according to the *Cañas-Jerez Treaty* and the *Cleveland Decision*, Nicaragua does have a right of establishing regulations upon Costa Rican navigation on the San Juan River.

1. JUNE 7TH, 1982

On this date members of the *Ejército Popular Sandinista (EPS)*, the Popular Sandinista Army, entered Costa Rican territory, more specifically the countries of Upala, Los Chiles and San Carlos and specially the area between the locations of Medio Queso and Poco Sol. The Costa Rican Government protested to the Government of Nicaragua on the same day as the violation of its national integrity and for the first time proposed the implementation of a Mixed Committee, created by the Treaty of Peace and Friendship, and signed by both countries in 1956.

The Note was responded per Note E.N. 607/82 dated June 9th, 1982, from the Nicaraguan Embassy in San Jose. The Note denied the aforementioned charges and rejected the notion that the Sandinista Army had penetrated into Costa Rican territory.

3. JULY 16TH 1982

Attempts against the Costa Rican right of free navigation of tourism ships on the San Juan River, again occurred. On this opportunity, the Costa Rican Government protested against Nicaragua and stated again that Costa Rica had always made pacific and adequate use of its inalienable and indispensable right of navigation on the San Juan River. This note was responded per Note E.N. 789/82 of the Embassy of Nicaragua mentioned above in paragraph 1.

4. JULY 20TH, 1982

The Government of Costa Rica denounced new violations to its right of free navigation of the San Juan River committed by Nicaraguan authorities. The said authorities, in the period of time from the 16th to the 22nd of July, halted and retained the traffic of all Costa Rican vessels in the river due to

the celebration of the Sandinista Revolution anniversary.

The note of protest was answered by Note E.N. 789/82 from the Nicaraguan Embassy mentioned in Paragraph 1.

5. JULY 27TH, 1982

The Government of Costa Rica declared as persona non-grata the Nicaraguan diplomat German Altamirano and two other employees of the Nicaraguan Embassy in San Jose. The step was taken based upon their participation in a terrorist attack to the headquarters of the Honduran Airline "SAHSA". The Costa Rican Government also requested an excuse from the Nicaraguan Government, not only for Altamirano's participation in acts against the peace and security of Costa Rican people but also for the penetrations of the Sandinista Army into Costa Rican territory and the obstacles posed to free commercial navigation on the San Juan River, as well.

6. JULY 27TH, 1982

The Government of Nicaragua, as a reprisal and without presenting official excuses for the aforementioned facts, issued a declaration of persona non-grata upon the Costa Rican diplomats Euclides Sandoval and Luis De Anda. Likewise, the Government cancelled the *ezequatur* of the Costa Rican Consul in that country, Mr. Henry Urcuyo.

7. DECEMBER 2ND, 1982

The Nicaraguan Government denounced before the Costa Rican Government the attack which took place on December 1st, against the village of Cardenas in Nicaraguan territory, allegedly carried out by the contra-revolutionary forces which came from the Costa Rican side of the border. The contra forces, supposedly, were fought back into Costa Rican territory.

The above mentioned protest was the first made by Nicaragua on the grounds of a supposed utilization of Costa Rican territory on behalf of elements which oppose the Government.

The Note was answered by Note DM-243-82, signed by Costa Rican Foreign Minister, Mr. Fernando Volio, who rejected the protest on the grounds of reports from both the Ministers of Public Security and the Interior, in which they refuted the fact that the attacks came from Costa Rican territory.

8. DECEMBER 14, 1982

The Government for National Reconstruction of Nicaragua issued a report attacking without justification the Costa Rican Government and President Luis Alberto Monge.

On Note DM-240-82 dated December 14, 1982, from Minister Volio to Nicaraguan Foreign Minister D'Escoto, the terms of such communication were refuted officially on the grounds that "the tone and the contents are outrageous and contrary to the truth". This note, however, was not answered by Nicaragua.

9. JANUARY 9TH, 1983

The Nicaraguan government protested to the Costa Rican government for the supposed interferences caused to Channel 2 of the official Sandinista television from Costa Rican territory on the 5th and 7th of January, as well as for the press conferences held in San Jose by representatives of the rebel group "Alianza Revolucionaria Democrática ARDE", formed by opposers to the Nicaraguan regime.

The note of protest was answered by Note DM-03-83, dated January 10th, 1983, in which Minister Volio denied its contents and repeated that Costa Rica's efforts were in favor of non-intervention and neutrality when facing Nicaraguan conflicts, despite the permanent hostility showed by the Nicaraguan government to Costa Rica.

The note was the first of the Costa Rican notes referring to its neutrality in what pertains to the internal conflicts of Nicaragua.

10. MARCH 8TH, 1983

The Costa Rican Government protest to the Nicaraguan Government because on February 23, 1983, two Costa Rican journalists were *bothered* by Sandinista soldiers, when the journalists were trying to cover occurrences of the previous days in the San Juan River.

11. APRIL 12TH, 1983

The Nicaraguan government denounced to the Costa Rican government the capture of Nicaraguan officials in the Tasbapauni region of the San Juan River area. The capture was allegedly carried out by rebels who took them to Puerto Limon. The Nicaraguan government demanded the consequent repatriation of the officials held hostage and the capture and expulsion of the kidnappers. There was not a note of protest for these facts.

The denunciation was responded per Note DM-CP-83-301 of May 2nd, 1983, by the Costa Rican Acting Minister for Foreign Affairs, Ekhart Peters, indicating that of the supposedly kidnapped persons, two of them did not want to return to their country of origin because they were under medical treatment in Costa Rica, and the third one had already returned to Nicaragua a few days before.

12. APRIL 15TH, 1983

The Costa Rican Government protested to the Nicaraguan Government that on this date three Costa Rican vessels with American tourists, who were sport fishing in Costa Rican waters in the Barra del Colorado area, were intercepted by a Nicaraguan patrol boat and taken to Nicaragua. Besides the formal protest, the Costa Rican government asked for the immediate return of the boats and their occupants with the corresponding satisfactions.

On the same date, the Nicaraguan Minister of Foreign Affairs Nora Astorga responded to the note of the Costa Rican Government concerning the captured boats; according to the Nicaraguan communication, the boats were in Nicaraguan and not in Costa Rican waters. Mrs. Astorga also informed the return of the people on board was being arranged.

13. APRIL 16TH, 1983

The Government of Nicaragua denounced to the Government of Costa Rica that on April 15th, Nicaraguan rebels, allegedly from Costa Rican territory, attacked the border delegation of Fatima de Sarapiquí in Nicaragua territory and afterwards returned to Costa Rica. With the denunciation, Nicaragua asked for Costa Rican collaboration in avoiding similar incidents.

14. APRIL 20, 1983

The Nicaraguan government asked the Government of Costa Rica for the return of a Nicaraguan aircraft brought to Costa Rica by a Nicaraguan pilot on April 18th.

15. APRIL 22, 1983

The Government of Costa Rica in response to the preceding note, informed the Government of Nicaragua that the aircraft,

registered as Cessna-A.G.-Wagon, is ready to be returned at the Government's or the owner's request.

16. APRIL 22, 1983

The Government of Costa Rica protests to the Nicaraguan government that a Nicaraguan military aircraft allegedly flew over the Costa Rican location of Colorado, frightening inhabitants and provoking the Costa Rican authorities.

17. APRIL 25, 1983

The Costa Rican government protested to the Government of Nicaragua the penetration of Nicaraguan soldiers of the "Coro de los Angeles" division into Costa Rican territory at the location of the village of Balsamito.

18. MAY 2, 1983

The Government of Costa Rica rejected, on the grounds of a report from the Ministry of the Interior and the Police, the aforementioned Nicaraguan protest of a supposed attack on April 16th at the location of Fatima de Sarapiquí.

19. MAY 3, 1983

The government of Nicaragua denounced to the government of Costa Rica the attacks which occurred on May 2 and 3 against the villages of La Esperanza and Fatima, by Nicaraguan rebels, who allegedly came from Costa Rican territory.

20. MAY 4, 1983

The Government of Costa Rica took into account the protest presented by the Government of Nicaragua mentioned above, and reaffirmed its decision of deporting any person who abuses his status of refugee or who performs acts against the Government of Nicaragua, from or in Costa Rican territory. Likewise, the Government informs of the request presented to the Organization of American States (OAS) in order to authorize that a peace force, integrated by the countries of the Contadora Group, watch over the Costa Rica-Nicaragua border.

21. MAY 10, 1983

The Government of Nicaragua sends a note of protest to the Government of Costa Rica because rebel elements, supposedly coming from Costa Rican territory, attacked a Nicaragua vessel navigating on the San Juan River, and captured its occupants.

Also, there was another attack, this time on the border post of Pueblo Nuevo. The attack was alleged to be initiated from Costa Rican territory by forces opposing the Sandinista government.

22. MAY 25, 1983

The government of Nicaragua denounced to the government of Costa Rica that on this date, contra-revolutionaries attacked a Nicaraguan civilian boat which navigated on the San Juan River and captured its occupants, one of them a German, and afterwards penetrated Costa Rican territory.

23. MAY 26, 1983

The Government of Costa Rica as a response to the preceding note of protest, expressed the attack did not originate in Costa Rican territory. This was based precisely on the declarations of the German citizen who was on board the mentioned ship.

24. JULY 3, 1983

The government of Nicaragua denounced to the government of Costa Rica that on June 28th, anti-Sandinista rebels went into Nicaraguan territory, allegedly from Costa Rica, to attack the location of San Juan del Norte.

These charges were denied by the Government of Costa Rica.

25. JULY 4, 1983

The Government of Nicaragua informed the government of Costa Rica that three Costa Ricans illegally entered Nicaraguan territory at the height of El Papaturro.

26. JULY 5, 1983

The government of Costa Rica requested the Government of Nicaragua the return of the above mentioned individuals, having proved their Costa Rican citizenship.

27. JULY 7, 1983

The Nicaraguan government informed the Costa Rican government that the Costa Rican citizens mentioned above were being indicted in Nicaragua.

28. SEPTEMBER 9, 1983

The government of Nicaragua denounced to the Costa Rican government that an aircraft, allegedly coming from Costa Rican territory, penetrated into its territory and attacked various villages and, therefore, asked for an explanation of those incidents. The government of Costa Rica rejected the Nicaraguan version of those events.

29. SEPTEMBER 19, 1983

The government of Nicaragua communicated to the Costa Rican government its concern about a Sandinista army boat which was missing and which could be in Costa Rican waters.

The government of Costa Rica informed the Government of Nicaragua that members of the Sandinista Army had been discovered in Costa Rican territory carrying maps of the region with them. These men were taken to Puerto Limon.

30. SEPTEMBER 23, 1983

The government of Nicaragua denounced to the Costa Rican government the penetration into its air space of an aircraft, allegedly coming from Costa Rican territory, which attacked a hydroelectric plant at Nicarao, and afterwards returned to the Costa Rican territory.

The government of Costa Rica, in a Note dated August 26, 1983, denied such charges, as no proof of the event was presented.

31. SEPTEMBER 27TH, 1983

The Government of Costa Rica informed the Nicaraguan government that the members of the Sandinista Army who were supposedly lost, had been found by Costa Rican authorities, and had consciously penetrated Costa Rican territory. This serious event constituted a flagrant violation of Costa Rican sovereignty by the Sandinista Popular Army.

32. SEPTEMBER 27TH, 1983

The Government of Nicaragua denounced to the Costa Rican government that elements of the anti-Sandinista forces attacked, supposedly from Costa Rica, El Naranzo and Las Florecitas sectors in the Nicaraguan location of Rivas.

33. SEPTEMBER 28, 1983

The Government of Nicaragua protested to the Costa Rican government because on this date, allegedly from Costa Rican Territory, rebel groups attacked the Nicaraguan Custom buildings at Peñas Blancas, with land and air forces.

34. SEPTEMBER 30, 1983

The Costa Rican Government protests to the Nicaraguan Government that the events of Peñas Blancas constitute a serious assault upon Costa Rica's national territory and sovereignty, since the Sandinista Popular

Army carried out a heavy hostile attack upon Costa Rican soil. This unjustified aggression caused serious danger to the lives of the people who were there at the time, and great damage to the Costa Rican customs installations on the border.

35. OCTOBER 3, 1983

The Costa Rican Government protested to the Nicaraguan Government about Commandant Humberto Ortega's Minister of Defense, unwonted declarations to the effect that the Sandinista Popular Army would pursue counterrevolutionaries as far as 500 meters inside Costa Rican territorial boundaries in the event that they should flee toward Costa Rica.

36. OCTOBER 4, 1983

The Nicaraguan Government protested to the Costa Rican Government that rebel forces, supposedly based within Costa Rican territory, attacked Port Benjamin Zeledon, on the Atlantic coast of Nicaragua, from their speed boats.

The Costa Rican Government denied on October 11, 1983, that the attackers originated from Costa Rica territory.

37. OCTOBER 6, 1983

The Nicaraguan Government denounces before the Costa Rican Government the activities that dissidents Eden Pastora and Alfonso Robelo carry out in Costa Rica and requests that appropriate measures be taken.

38. OCTOBER 7, 1983

The Nicaraguan Government protests to the Costa Rican Government that on this very day rebel forces, supposedly from inside Costa Rica, attacked with mortars the Nicaraguan position of El Naranjo, located a kilometer and a half inside Nicaraguan territory.

The Costa Rican Government, on October 11, 1983, rejects the protest and reaffirms that Costa Rica has taken the necessary measures to avoid the occurrence of incidents such as these.

39. OCTOBER 21, 1983

The Nicaraguan Government protested to the Costa Rican Government that "Negro" Chamorro, the famous rebel leader, would use Costa Rica as a base for his operations against the Sandinista regime.

The Costa Rican Government reaffirms by way of memorandum, on the same day, that it will not permit situations of this type.

40. NOVEMBER 18, 1983

The Nicaraguan Government protests that counter revolutionaries, supposedly from inside Costa Rica, attacked the town of Cardenas, in the Department of Rivas.

The charge was denied on November 19th by the Costa Rican Government, after Costa Rican authorities verified that the attack on Cardenas was not launched from inside national territory.

41. DECEMBER 5, 1983

The Nicaraguan Government informs the Costa Rican Government of a future attack by rebel group from inside Costa Rica in the Penas Blancas region.

The Costa Rican Government expresses to the Nicaraguan Government that it has exercised effective control over the border region, despite its limited resources and lack of military forces.

42. DECEMBER 6, 1983

The Costa Rica Government protests to the Nicaraguan Government the treacherous attack by Nicaraguan aircraft of the Costa Rican ship "Lyon Heart", which was sailing in international waters.

December 7, the Nicaraguan Government denies that the attack upon the boat had been carried out by Nicaraguan aircraft.

December 9, 1983, the Costa Rican Government reiterates the terms of the protest formulated on December 6, having confirmed that the attacking aircraft belonged to the Sandinista Air Force.

43. JANUARY 5, 1984

The Nicaraguan Government denounces an act of cattle rustling affirming that the cattle had been taken into Costa Rica from inside Nicaragua, and requests that it be returned. The case is transferred to the Ministry of Public Security and the Ministry of the Interior and Police to be investigated.

44. JANUARY 5, 1984

The Nicaraguan Government proclaims that on December 27, 1983, elements of ARDE, supposedly from inside Costa Rican territory, attacked Sandinista Popular Army forces on Bartolo River in the Department of the San Juan River.

On January 13, 1984, the Costa Rican Government, in response to the preceding proclamation, demonstrates that the battle took place inside Nicaraguan territory although a large quantity of Sandinista Popular Army projectiles were found on Costa Rican soil, which Costa Rica protests in view of this new violation of Costa Rican sovereignty on the part of the Sandinista Popular Army.

January 23, 1984, the Nicaraguan Government rejects the Costa Rican protest, arguing that the Sandinista Popular Army had not penetrated nor attacked Costa Rican territory.

45. JANUARY 23, 1984

The Nicaragua Government protests to the Costa Rican Government that rebel forces originating from Costa Rica penetrated Nicaragua in the Loma Quesada region, abducting 14 Nicaraguans who were taken into Costa Rica territory.

46. FEBRUARY 23, 1984

The Costa Rican Government protests to the Nicaraguan Government the attack to Costa Rican territory in the Conventillos region, perpetrated by the Sandinista Popular Army.

The Nicaraguan Government, the same day, rejects the terms of the protest and proclaims that from the 16th to the 22nd of February, the counterrevolutionaries attacked Nicaragua supposedly from Conventillos. Costa Rica.

47. APRIL 11, 1984

The Nicaraguan Government protests to the Costa Rican Government that on the 6th, 8th, and 9th of April, counterrevolutionaries attacked San Juan del Norte, supposedly from inside Costa Rica.

On April 16, the Costa Rican Government rejects the Nicaraguan version since the attack took place within Nicaraguan territory controlled by insurgent ARDE forces.

48. APRIL 12, 1984

The Nicaraguan Government protests President Monge's declarations to the German newspaper "Die Welt", alleging that they pertain to Nicaraguan internal affairs.

49. APRIL 13, 1984

The Costa Rican Government protests to the Nicaraguan Government that two Costa Rican shrimp boats located within Costa Rican national waters at the same latitude as Port Soley, were sequestered, along with their crews, and taken into Nicaragua.

50. APRIL 16, 1984

The Nicaraguan Government protests to Costa Rican Government the supposed use by ARDE of Costa Rican territory for the purpose of launching attacks to the San Juan region. This proclamation was rejected by the Costa Rican Government since the attacks took place on Nicaraguan soil in areas under rebel control.

This protest was reiterated by the Nicaraguan Government on April 28, 1984, alleging that the Costa Rican authorities support the Nicaraguan counterrevolutionaries.

51. APRIL 23, 1984

The Costa Rican Government protests before the Nicaraguan Government the attacks made by the Sandinista Popular Army within Costa Rican territory in "La Pimentita" region of Penas Blancas. The Nicaraguan Government rejected the terms of the protests, reaffirming that ARDE forces supposedly use Costa Rican territory as a base from which to launch their attacks on Nicaragua.

52. APRIL 30, 1984

The Nicaraguan Government protests to the Costa Rican Government the Democratic Revolutionary Alliance's incursions into the El Castillo region on the San Juan River, supposedly from inside Costa Rican territory.

53. MAY 2, 1984

The Costa Rican Government protests before the Nicaraguan Government the events which took place on the 29th of April in which in five instances. Two push-pull type aircraft of the Nicaraguan Air Force flew over Costa Rican territory firing no less than fifty 68mm "rocket" type missiles upon the civilian population of San Isidro de Pocosol.

The Nicaraguan Government answered the letter of protest on the same day and justified the incident as part of a series of attacks against Nicaragua by rebel forces established in Costa Rica territory; incidents which the Nicaraguan Government cannot avoid given the present circumstances.

54. MAY 2, 1984

The Costa Rican Government reiterates to the Nicaraguan Government that the attacks against Nicaragua are not originating from inside Costa Rican territory. Nor does it accept the supposed link between the Ministry of the Interior and Police and the Bureau of Intelligence and Security with Nicaraguan insurgents that oppose the Sandinista regime.

55. MAY 3, 1984

The Costa Rican Government protests to the Nicaraguan Government of the serious events of May 3, 1984, when members of the Sandinista Popular Army attacked the border post of Penas Blancas with mortar, machine gun, and rifle fire, producing damage to Costa Rican Immigration and Customs installations and endangering the lives of Costa Ricans who were at the place at that moment peacefully going about their daily tasks.

56. MAY 3, 1984

The Nicaraguan Government protests to the Costa Rican Government the events of May 3, which it describes as a "self-attack" by the Costa Rican Rural Guard. In this way it releases itself from all responsibility for the aggression perpetrated by the Sandinista Popular Army at Penas Blancas.

57. MAY 7, 1984

The Nicaraguan Government protests to the Costa Rican Government the events transpired on May 7, 1984, in which a group of insurgents attacked the border position of "Palo de Arce", alleging that they supposedly originated from inside Costa Rican territory, from a site located 500 meters from the Costa Rican Rural Guard post known as "El Cachito".

58. MAY 8, 1984

The Costa Rican Government presents its most emphatic protests to the Nicaraguan Government for the press release dated May 4, 1984, which it published in Costa Rica newspapers under the protection of the freedom of press which prevails in Costa Rica. These declarations are part of the misinformation campaign carried out by the Nicaraguan Government against the Costa Rican Government.

This press release is not only untruthful but also constitutes an insult to the people and the Government of Costa Rica, and reveals the aggressive conduct of the regime in Managua towards Costa Rica and its people.

The Costa Rican Government, the same day, declares Francisco Gutierrez Solis, administrative official of the Nicaraguan Embassy in San Jose, persona non grata.

59. MAY 17, 1984

The Costa Rican Government answered the Nicaraguan Government's protest for the events taken place since April 24th in which mercenary forces had been launching attacks against Nicaraguan positions in the Castillo region, Department of San Juan River, reporting several confrontations with Sandinista Popular Army troops which defend the region.

Likewise, on April 28, it was denounced that a group of mercenaries attacked with gunfire from within Costa Rican territory. According to reports of the Ministry of Public Security, the Costa Rican border region is completely controlled by troops of the Los Chiles Command, which prevent the occurrence of incidents such as those mentioned earlier.

60. JUNE 12, 1984

The Nicaraguan Government protests to the Costa Rican Government that opposers of the Sandinista regime attacked the "El Castillo" region, supposedly from inside Costa Rica. This was rejected by the Costa Rican Government on June 13, 1984, indicating that on the contrary it was the Sandinista Popular Army which attacked Costa Rican territory with artillery fire.

61. JUNE 13, 1984

The Costa Rican Government protests the declarations made by officials of the Nicaraguan Government claiming that Costa Rican authorities support Nicaraguan counterrevolutionaries.

62. JULY 6, 1984

The Nicaraguan Government requests that the Costa Rican Government surrender a shipment of explosives belonging to it, which was found aboard the vessel "Freedom" and detained in Port Limon, Costa Rica.

The Nicaraguan Government alleged that the dynamite carried by said vessel would be used for industrial and not military purposes.

The Costa Rican Government on the same day, by Security Council resolution, declares that these incidents run against its position of neutrality.

63. AUGUST 24, 1984

The Costa Rica Government vigorously protests to the Nicaraguan Government the unfounded charges which Daniel Ortega, the Governmental Council for National Reconstruction, formulated during the celebration of the fourth anniversary of the National Literacy Crusade. Ortega spoke at that time of "hundreds of mercenaries under the control of the CIA, assembled in the region of Guanacaste, in order to launch an attack against the Nicaragua city of Rivas". He also assured that "they belong to the opposing Nicaraguan Democratic Force, which not only operates from within Honduran territory, but also from within Costa Rican territory."

64. SEPTEMBER 21, 1984

The Costa Rica Government protests the following incidents:

(a) September 11, 1984, the Costa Rican citizens Filiberto Urbina and Dionisio Miranda were abducted by Sandinista Popular Army troops from Finca Quinta Elena, in the "Las Tablillas" region, Country of Las Chiles, in Costa Rica territory and transferred to the barracks in the town of San Carlos inside Nicaraguan territory where they remained under arrest, and were interrogated until they were freed on September 12, and returned to Costa Rica.

(b) September 16, 1984, a group of ten members of the Sandinista Popular Army penetrated Costa Rican territory in the "Las Tablillas" region, landmark 13, opening fire on a small Civil Guard patrol which was carrying out a reconnaissance mission.

65. SEPTEMBER 30, 1984

The Nicaraguan Government addresses the Costa Rican Government in reference to the events of September 20, in which rebel forces attacked the border post of Penas Blancas, supposedly from the Costa Rican region called "El Valle".

The Costa Rican Government answers the note sent on October 1, 1984, and after detailed investigation of the alleged incidents concludes that there are no material grounds for such accusations.

66. OCTOBER 1, 1984

The Costa Rican Government protests to the Nicaraguan Government the events of September 27, 1984, in "La Trocha" region, county of Los Chiles, which was subjected to unwarranted bombing. The artillery attack originated from Nicaraguan territory, caused serious injuries to Costa Rican citizens who were about 1,500 meters from the border.

67. OCTOBER 2, 1984

The Government of Costa Rica answers the note sent by the Government of Nicaragua on September 25, 1984, concerning the establishment of a radio station in the North region of Costa Rica.

In its note, the Costa Rican government expressed that the foresaid radio station is exclusive property of Costa Rican citizens grouped in a legally constituted association, according to Costa Rican law juridical ordinance, under the protection of the liberty of information that is guaranteed by the Political Constitution of Costa Rica.

The Government of Costa Rica can not forbid the existence of the said association, nor the legitimate right that assists the Costa Rican citizens in order to freely express their opinions, because it will exceed in its functions.

68. OCTOBER 11, 1984

The Government of Costa Rica protests to the Government of Nicaragua on the decla-

rations made by the Commandant Daniel Ortega, Coordinator of the Board of Government of National Reconstruction of Nicaragua, at the General Assembly of the United Nations, and at his return to the Augusto Sandino International Airport in Managua.

The Government of Costa Rica considers that declarations of this nature, that do not respond to the truth, have the clear purpose to confuse the correct relationships between both Governments.

69. OCTOBER 18, 1984

The Government of Costa Rica desauthorized the declarations given by an American citizen, John Hull, who made a public recognition of his consent for the utilization of his farm in Costa Rica, at Muelle San Carlos, at some 80 Kilometers of the Border with Nicaragua, for the landing of airplanes of the anti-Sandinista rebel forces.

70. OCTOBER 18, 1984

The Government of Nicaragua protests to the Government of Costa Rica, about the events that occurred the 15th day of October of 1984, claiming that a group of mercenaries attacked with 81 mm. mortars and rifle firing, allegedly from Costa Rican territory, the frontier post of San Pancho, located 11 kilometers towards the East of San Carlos in the Nicaraguan Department of San Juan River. At the same time, two helicopters were flying over the area.

The 16th day of October a fast airplane penetrated the Nicaraguan air space by the sector of Montelmar in the Department of Managua. Subsequently the airplane withdrew "to Costa Rican territory", alleged the complaining Government.

The Government of Costa Rica answered the same day to the Government of Nicaragua in order to reject the arised accusations, because they lack truth, according to reports presented by the Costa Rican Ministry of Public Security. The attack to the post of San Pancho, did not start from Costa Rican territory and also there was no evidence that an airplane of such characteristics had come in by the North sector into the Costa Rican territory.

71. OCTOBER 20, 1984

The Government of Nicaragua protests to the Government of Costa Rica for the events which occurred on October 20, 1984, when the Nicaraguan border of Penas Blancas was attacked with rifle fire, allegedly from the Costa Rican territory, according with the Sandinista version.

The Government of Costa Rica answered the accusation made by the Government of Nicaragua about the events of October 20th in the frontier zone. The investigations made by the Costa Rican Ministry of Public Security had demonstrated the attack of rifle firing against the Nicaraguan frontier post did not come from Costa Rican territory, and such was informed to the Government of Nicaragua.

72. NOVEMBER 1, 1984

The Government of Nicaragua protested to the Government of Costa Rica, for the events occurred on November 1, 1984, by attributing to a group of supposed mercenaries at the service of the Government of the United States, an alleged attack from the territory of Costa Rica, with fire of mortars, directed against the observation post in the frontier post of San Pancho, situated at 11 kilometers South East of San Carlos, nearby the Landmark number 12.

73. DECEMBER 3, 1984

The Government of Costa Rica protests to the Government of Nicaragua for the following events:

(a) On November 29, 1984, Push and Pull airplanes, belonging to the Air Force of Nicaragua, violated Costa Rican air space in the region of Agua Dulce, up to 3 Kilometers inside the national territory.

(b) Again, the next day, a Push and Pull type airplane of the Air Force of Nicaragua, violated the Costa Rican air space in the region of Agua Dulce, up to 3 Kilometers inside the national territory.

(c) The same day, three military boats armed with artillery, with signs belonging to the Army of Nicaragua, penetrated 6 Kilometers inside the Costa Rican territorial waters.

74. DECEMBER 24, 1984

Approximately at eleven o'clock at night, a Nicaraguan student, Jose Manuel Urbina Lara, to whom it was granted political asylum by the Costa Rican Embassy in Managua since August 20, 1984, was forced against his will to abandon the Costa Rican Mission building. Immediately he was arrested by the Sandinista Police.

75. DECEMBER 26, 1984

The Ministry of Foreign Affairs of Nicaragua communicated to the Costa Rican Embassy in Managua its version of the December 24 events.

76. DECEMBER 27, 1984

At 10 a.m. Costa Rican Ambassador in Nicaragua, Mr. Jesus Fernandez Morales went to the Military Hospital "Alejandro Davila Bolanos" of Managua with other Costa Rican diplomats and employees of the Government of Nicaragua, in order to have an interview with Jose Manuel Urbina Lara, to know his version about what had happened the 24th. In this meeting the refugee Urbina said that he was forced to get out when he opened the door of the Embassy and was pushed by a woman, while he was threatened with a gun by the Sandinista Policeman of the Embassy. When he got out, he was forced to get into a vehicle in the seat of the driver, and just after the vigilante gave him the keys of the car, Urbina started it and put it in movement immediately and drove it to the fence of the Embassy, knocking it down; but when he tried to jump over it, he was arrested and taken to a Lada vehicle. Since that moment, he said, he does not remember anything. He also told the Ambassador that in the Hospital he is registered under the name of Rosendo Munguia Zapata.

77. DECEMBER 27, 1984

The Costa Rican Minister of Foreign Affairs, Lic. Carlos Jose Gutierrez, sent a note to the Minister of Foreign Affairs of Nicaragua, Miguel D'Escoto, requesting the immediate delivery of Mr. Urbina Lara to the Costa Rican Embassy in order to "receive medical attention, under the protection of our Embassy, or authorization for him to leave Nicaragua, towards our country". Minister Gutierrez also informed Nicaragua that the acceptance of the said request was the only way of observance of its obligations that the Government of Costa Rica can accept from the Nicaraguan Government.

78. JANUARY 2, 1985

The Nicaraguan Acting Foreign Minister, Nora Astorga, answered the note of the Costa Rican Foreign Minister, dated December 27, 1984, rejecting its terms, and at the same time stating that Mr. Urbina Lara, was not forced to get out of the Costa Rican

Diplomatic headquarters. He did it by his own will, said Mrs. Astorga. In like manner, she states that Mr. Urbina is a "Deserter of the patriotic military service", and therefore, according to the Conventions of La Habana (1928) and Montevideo (1933), he has no right to obtain the diplomatic asylum.

79. JANUARY 4, 1985

The Costa Rican Minister of Foreign Affairs, Carlos Jose Gutierrez, in note sent to Mrs. Astorga, rejects her previous note of January 2, and urges Nicaragua to sign the Convention of Caracas about the Right of Diplomatic Asylum of 1954. In this note Minister Gutierrez reiterates that Jose Manuel Urbina Lara had been persecuted for political reasons, and so he obtained the Diplomatic Asylum.

Minister Gutierrez also reminds Mrs. Astorga that according to the Convention of Montevideo of 1933, it is a right of the Nation that grants the asylum "the qualification of the political delinquency." Finally he indicates to Mrs. Astorga, concerning some information about Urbina Lara's supposed renouncing of the asylum that Costa Rica will be satisfied if that supposed renunciation was ratified by Urbina Lara in a meeting with Ambassador Fernandez at the Costa Rican Mission or at the Apostolic Nunciature in Managua.

80. JANUARY 8, 1985

Mr. Fernando Zumbado, Ambassador of Costa Rica before the Organization of the American States, Permanent Council of the Organization, presented the situation of Mr. Urbina Lara, at the same time he requested the initiation of a Special Investigative Commission to verify the facts.

The Nicaraguan representative, Juan Gazol, rejected the possibility that OAS could hear this case, because it was an internal matter that was finished, he said.

81. JANUARY 9, 1985

The Foreign Ministry of Nicaragua informs to all the Diplomatic Missions accredited in Managua, that the Government of Nicaragua will not accept the granting of Diplomatic Asylum to Nicaraguan citizens under the "Patriotic Military Service".

82. JANUARY 11, 1985

Mr. Jose Luis Urbina Chaves, father of Jose Manuel Urbina Lara, declares before the Costa Rican Ambassador Fernandez Morales that he had visited his son at the Offices of the State Security. Jose Manuel told him that he was very sick and that he had not renounced the Asylum granted by Costa Rica. He also told his father that he wished to return to the Costa Rica Embassy.

83. JANUARY 14, 1985

The Ambassador Fernandez Morales, pertaining the circular note of the Nicaraguan Foreign Ministry, informed the Ministry that Costa Rica cannot accept the instructions that are contained in such note and that Costa Rica intended to continue to exercise its "inalienable right to grant diplomatic asylum at its Mission in Managua", in accordance with the Treaties and Conventions.

84. JANUARY 14, 1985

The Costa Rican Minister of Foreign Affairs, Carlos Jose Gutierrez, denounces and protests to the Government of Nicaragua, because on January 8, 1985, members of the Sandinista Popular Army landed in Costa Rican territory at the lagoon of Agua Dulce. The Nicaraguan soldiers were expelled by the Civil Guard of Costa Rica.

85. JANUARY 14, 1985

The Nicaraguan Foreign Minister, Miguel D'Escoto Brockman, in a note of the same day addressed to the Costa Rican Minister of Foreign Affairs Mr. Gutierrez, rejects the denunciation and argues that the intrusions to the Costa Rican territory were made by Antisandinista groups.

86. JANUARY 19, 1985

The Permanent Council of the OAS decides to urge the Governments of Costa Rica and Nicaragua to solve in a friendly and peaceful way the Urbina case and asked for the mediation of the Contadora Group.

87. JANUARY 19, 1985

The Minister of the Interior of Nicaragua, Tomas Borge, declares in Managua that the government of Costa Rica allows enemies of the Government of Nicaragua to concentrate in the Costa Rica region of Peñas Blancas in order to attack Nicaraguan posts.

88. JANUARY 22, 1985

The previous statement of the Minister Borge was rejected by the Costa Rican Minister of Foreign Affairs of Costa Rica, Carlos Jose Gutierrez, who declared it was false. Minister Gutierrez requested the Nicaraguan Government to explain if such declaration constituted an opinion of the Government of Nicaragua. The Costa Rican Minister also asked for a retraction from Mr. Borge.

89. FEBRUARY 3, 1985

The Nicaraguan Foreign Minister Miguel D'Escoto sent a note to the Costa Rican Minister of Foreign Affairs Mr. Gutierrez, in which he protests a press conference that was held in the Ambassador Hotel in San Jose, in which participated the leading members of the "Alianza Revolucionaria Democrática—ARDE", Adolfo Chamorro, Carol Prado, Donal Castillo and Jose Davila, who spoke of the armed struggle that the opposite rebel groups maintain against the Government of Nicaragua.

90. FEBRUARY 5, 1985

The General Sub-Director of the Civil Guard of Costa Rica, in a note sent to the Costa Rican Minister of Foreign Affairs, explained to him the events which happened with three Nicaraguan kidnapped citizens and informed him that said Nicaraguan citizens were found tied to a tree near the "La Pimienta", hill by the Civil Guard. As they said, they were captured by the men of Eden Pastora and it is their wish to ask for Political Asylum in Costa Rica.

91. FEBRUARY 7, 1985

The Costa Rican Minister of Foreign Affairs, in a note sent to the Nicaraguan Foreign Minister with regard to the situation laid out in the Press Conference that was celebrated in San Jose on January 31, stated that the expressions that were said there violated in an absolute and unyielding manner the neutrality Costa Rica maintains and it also constituted a violation against the Right of Territorial Asylum.

92. FEBRUARY 9, 1985

The Nicaraguan Foreign Minister protested to the Costa Rican Minister of Foreign Affairs that on February 8, the leading man of ARDE, Jose Davila at a press conference held in San Jose, announced the felling in Nicaraguan territory of helicopter given to his Organization by the U.S. Government.

The Nicaraguan Foreign Minister used those facts to confirm the use of the Costa Rican territory by the insurgent military or-

ganization ARDE, in violation of Costa Rican neutrality.

93. FEBRUARY 18, 1985

The Government of Nicaragua protests, because this same day, counterrevolutionaries, supposedly from Costa Rican territory, attacked the Peñas Blancas border post. The Government of Costa Rica, the 20th of February of 1985, rejected the terms of the Nicaraguan protest because the facts denounced happened in Nicaragua and that the attackers came from their bases in Nicaraguan territory.

94. FEBRUARY 18, 1985

The Government of Nicaragua requested the aid of the Costa Rican Government for the return of Nicaraguan citizens supposedly kidnapped in Zelaya, Nicaragua, and transferred by the counterrevolutionary forces to Costa Rica. The Government of Costa Rica, on February 20, 1985, expressed to the Sandinista Government that the presumed kidnapped victims were not in Costa Rican territory, and urged him to exercise control over his territory and suggested to him to stop the presence of civilians in the war zones in Nicaraguan territory.

95. FEBRUARY 19, 1985

The Government of Nicaragua protested to the Costa Rican Government and assumed that a group of counterrevolutionaries, supposedly from Costa Rican territory, attacked the frontier post of El Naranjo, located 17 Kilometers South-East of Peñas Blancas.

The Government of Costa Rica, on February 20, 1985, rejected the Nicaraguan protest, because the fact happened in Nicaraguan soil and the attack did not come from Costa Rica, but from Nicaragua.

96. FEBRUARY 20, 1985

The Government of Costa Rica protested to the Nicaragua Government about the events which happened the 10th and 11th of February 1985, in which the Sandinista Popular Army attacked patrols of the Costa Rica Civil Guard, who were in a surveillance mission at "Los Jocotes" hill in Guanacaste.

The Government of Nicaragua, by note of February 25, 1985, rejected the denunciation.

97. MARCH 1, 1985

According to the Government of Nicaragua, this day at 7:45 a.m., a group of rebels, enemies of the Sandinista Government, supposedly attacked the Nicaraguan frontier post of Peñas Blancas, allegedly coming from Costa Rica.

The 27th of the same month, the Government of Costa Rica answered the Nicaraguan denunciation, stating that according to investigations made, the attack did not come from Costa Rican territory.

98. MARCH 1, 1985

The Government of Nicaragua protested because a group of the frontier post of San Juan del Norte had been attacked by an Antisandinista group, allegedly coming from Costa Rica.

The Government of Costa Rica, by note of March 27, 1985, rejected the charges made by the Sandinista Government, because the Nicaraguan Department of the River San Juan is under the control of the Antisandinista and the Nicaraguan Government does not exercise its sovereignty (as it should do) over that region.

99. APRIL 12, 1985

The Government of Costa Rica protested to the Nicaraguan Government that on April 3, 1985, soldiers of the Sandinista Pop-

ular Army attacked with artillery fire the Costa Rican zone of Las Tiricias, county of Los Chiles. It also warned Nicaragua that the Costa Rican Public Force will proceed to repel any attack against national territory.

100. APRIL 16, 1985

In another note of protest, the Government of Nicaragua denounced on April 14, 1985, that armed groups of rebels, supposedly proceeding from Costa Rica, attacked the Nicaraguan Frontier Post of La Esperanza, in the Department of River San Juan.

101. APRIL 12, 1985

The Government of Costa Rica protested to the Government of Nicaragua that the Sandinista Popular Army's attack on the sector of Las Tiricias, in Costa Rican territory was done, with heavy artillery. The Government of Nicaragua, by means of note DAJ No. 085, of April 20th, answered the Costa Rican protest, denying that the Sandinista Popular Army was the perpetrator of such acts, although they did not deny the attack.

102. APRIL 16, 1985

The Government of Nicaragua protested to the Government of Costa Rica that on April 14, 1985, a group of counterrevolutionaries harassed the Nicaraguan border post of La Esperanza, 7 km southeast from the city of San Carlos: apparently doing it from Costa Rican territory.

103. APRIL 30, 1985

The Government of Nicaragua protested to the Government of Costa Rica, that a group of mercenaries again harassed the border post of La Esperanza from Costa Rican territory, on April 27th.

104. MAY 31, 1985

The Government of Costa Rica protested to Nicaragua, that on May 26th, the Sandinista Popular Army bombed Costa Rican territory in the region of Las Tiricias, County of Los Chiles, endangering the life of Costa Rican Civilians.

105. JUNE 3, 1985

The Government of Costa Rica protested to the Government of Nicaragua for the criminal attack the Sandinista Popular Army perpetrated against Costa Rican territory in the region of Las Crucitas, causing the death of two Civil Guards and seriously wounding seven people.

106. JUNE 3, 1985

The Government of Nicaragua denied that the Sandinista Popular Army was responsible for the deplorable happenings of Las Crucitas, and charged the counter-revolutionary groups the responsibility for these events.

107. JUNE 19, 1985

The Government of Nicaragua protested to the Government of Costa Rica for the deportation of the ARDE leader Roberto "Tito Chamorro", arrested in Costa Rican territory.

108. JUNE 20, 1985

The Government of Costa Rica answered the protest presented by Nicaragua the day before, informing the Nicaraguan authorities that the deportation of Chamorro took place because he could stay in Costa Rica because of an Executive Mandate. This is the best example of the neutrality policy held by the Government of President Luis Alberto Monge.

109. JUNE 21, 1985

The Government of Nicaragua protested to the Government of Costa Rica that on

June 20, 1985, a counter-revolutionary group attacked the sector of La Penca, apparently from Costa Rican territory.

110. JULY 1, 1985

The Government of Costa Rica addressed the Government of Nicaragua after having viewed the Report of the Investigative Commission of the Organization of American States, reiterating the request made on June, 3rd and also indemnization and reparations for Nicaragua's responsibility in the happenings of Las Crucitas.

111. JULY 2, 1985

The Government of Nicaragua protests to the Government of Costa Rica that counter-revolutionaries, apparently from Costa Rican territory attacked the Nicaraguan Border post of La Penca, causing two casualties to the Sandinista Popular Army.

112. JULY 3, 1985

The Government of Nicaragua protested to the Government of Costa Rica for the declarations of five foreigners that are kept under arrest in Costa Rican prisons, asserting that the Costa Rican authorities materially support the counter-revolutionary groups.

Costa Rica answered on July 9th, rejecting the Nicaraguan protest and adducing the arrested men only used the unrestricted freedom of expression they enjoy in Costa Rica and that the best proof of the deceit of their statements is that they were arrested and indicted by the Costa Rican Judicial Power.

113. JULY 4, 1985

The Government of Nicaragua extended the preceding protest, stating that the alleged attack to La Penca caused another casualty.

114. JULY 8, 1985

The Government of Costa Rica rejected the Nicaraguan protests of June 1st, pertaining to the attack against La Penca, as there were enough elements demonstrating that such action took place in Nicaraguan territory and never started from Costa Rica.

The Government of Costa Rica protested in the same note that on June 20th the Sandinista Popular Army bombed Costa Rican territory in the region of the San Carlos River.

115. JULY 16, 1985

The Government of Costa Rica protested to the Government of Nicaragua that men from the Sandinista Popular Army broke into Costa Rican territory and kidnapped a person, carrying him back to Nicaragua.

The Government of Costa Rica requested in said note the immediate return of the kidnapped man.

116. JULY 19, 1985

The Government of Costa Rica addressed a note to the Government of Nicaragua reporting that the very same day at five o'clock, a group of Nicaraguans broke into Costa Rican territory, in the region of Monte Plata, and killed a Nicaraguan of Costa Rica, and immediately returned to Nicaragua. The Government of Costa Rica requested the immediate arrest of those responsible.

117. JULY 22, 1985

The Government of Nicaragua protested to the Government of Costa Rica on July 17, a group of opposers of the Nicaraguan Government apparently attacked the post of the Nicaraguan Armed Forces at the zone of San Rafael, 20 km East from Boca San Carlos, from Costa Rican territory.

118. JULY 24, 1985

The Government of Nicaragua protested that on the same day a helicopter fell in Pital of San Carlos, Costa Rican territory, and denounced that Eden Pastora who traveled in the aircraft, was injured in the accident.

119. JULY 25, 1985

The Government of Nicaragua completed the protest of the day before and denounced that Mr. Pastora Gomez apparently received help and attention from Costa Rican Rural Guard members.

120. JULY 26, 1985

The Government of Nicaragua denounced that three airplanes apparently from Costa Rica entered Nicaraguan territory at the sector of La Penca that day.

121. AUGUST 2, 1985

The Government of Nicaragua protested that that day the Sandinista Popular Army had dismantled ARDE bases in the Nicaraguan sector of Sarapiquí, Department of San Juan River, the displaced men, according to the Nicaraguan version, passed to Costa Rican territory, where they kept attacking the Sandinista Army post.

122. AUGUST 13, 1985

The Government of Costa Rica answered the preceding protest rejecting the Nicaraguan versions. On the contrary, it denounced that on July 25, Sandinista airplanes broke into Costa Rican territory and bombed the civilian population of Barra del Colorado. It also denounced that on August 12, men from the Sandinista Popular Army attacked Costa Rican territory at the region of Guestomate, with mortar fire. The Government of Costa Rica protested and requested a constructive attitude from the Nicaraguan Government and that it meet its responsibility before the International Community.

123. AUGUST 16, 1985

The Government of Costa Rica made manifest to the Nicaraguan Government that it is open to dialogue to solve bilateral problems, but only if the Sandinista Government apologizes for the happenings at Las Crucitas on May 31, and at Boca de Toruguero on July 25.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, I was on leave of absence, by unanimous consent, Thursday, September 26, 1985. Had I been present, I would have voted "aye" for roll No. 317 on the passage of the interstate compact bill Senate Joint Resolution 127, and "no" for the amendments to the 1985 farm bill, roll Nos. 318, 319, and 320.

MRS. AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, in addition to having Miss America as a constituent, I am also very fortunate to serve as Congressman for the 1985 Mrs. America. She is Donna Russell of Brandon, MS.

Two weekends ago, Donna went to Honolulu, HI, to compete in the Mrs. World 1986 contest. I am proud to say that she was chosen third alternate from a field of 31 women, representing five continents. Donna won the Mrs. Congeniality Award.

Donna is the first Mississippian to win the Mrs. America title. In fact, she is the first from our State to place in the top 10. Since winning the Mrs. America title this summer, Donna has been very busy with personal appearances and modeling assignments all over the United States.

She and her husband, Richard, are both graduates of the University of Mississippi. They have two children, Jason and Heather.

Mr. Speaker, the folks around Brandon are proud of Donna and her accomplishments. I wanted to share them with my colleagues.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SENSENBRENNER) to revise and extend their remarks and include extraneous material:)

Mr. CRAIG, for 60 minutes, on October 2.

Mr. CRAIG, for 60 minutes, on October 9.

Mr. CRAIG, for 60 minutes, on October 16.

Mr. CRAIG, for 60 minutes, on October 23.

Mr. CRAIG, for 60 minutes, on October 30.

Mr. CRAIG, for 60 minutes, on November 6.

(The following Members (at the request of Mr. ECKART of Ohio to revise and extend their remarks and include extraneous material:)

Mr. PEPPER, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. PEPPER, for 5 minutes, on October 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SENSENBRENNER, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$3,476.25.

(The following Members (at the request of Mr. SENSENBRENNER) and to include extraneous matter:)

Mr. COURTER.

Mr. BEREUTER.

Mr. LAGOMARSINO.

Mr. McEWEN.

Mr. LEACH of Iowa.

Mr. GILMAN.

Mr. CRAIG.

Mr. PORTER.

Mr. BROOMFIELD in three instances.

(The following Members (at the request of Mr. ECKART of Ohio) and to include extraneous matter:)

Mr. FROST in five instances.

Mr. FAZIO.

Mr. KASTENMEIER.

Mr. RICHARDSON.

Mrs. LLOYD.

Mr. LANTOS in two instances.

Mr. MARTINEZ.

Mr. FLORIO.

Mr. HALL of Ohio.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in 10 instances.

Mr. COELHO.

Mr. RAY.

ENROLLED BILL SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore:

H.R. 3414. An act to provide that the authority to establish and administer flexible and compressed work schedules for Federal Government employees be extended through October 31, 1985.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 1671. An act to amend title 38, United States Code, to provide interim extension of the authority of the Veterans' Administration to operate a regional office in the Republic of the Philippines, to contract for hospital care and outpatient services in Puerto Rico and the Virgin Islands, and to contract for treatment and rehabilitation services for alcohol and drug dependence and abuse disabilities; and to amend the Emergency Veterans' Job Training Act of 1983 to extend the period for entering into training under such act.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 24 minutes p.m.) the House adjourned until tomorrow, Tuesday, October 1, 1985, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2056. A communication from the President of the United States, transmitting proposed amendments to the request for appropriations for fiscal year 1986, pursuant to 31 U.S.C. 1107 (H. Doc. No. 99-109); to the Committee on Appropriations and ordered to be printed.

2057. A letter from the General Counsel of the Treasury, transmitting a draft of proposed legislation to eliminate foreign predatory export credit practice, establish a tied aid credit facility, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

2058. A letter from the Auditor, District of Columbia, transmitting a letter report entitled, "Comparative Analyses of Reports by Coopers and Lybrand and the District of Columbia Auditor Regarding the UDC President's Representation Fund for Fiscal Year 1984," pursuant to Public Law, 93-198, section 455(d); to the Committee on the District of Columbia.

2059. A letter from the Secretary, Council of the District of Columbia, transmitting a copy of council resolution 6-284, entitled, "Transfer of Jurisdiction over Georgetown Waterfront Park for Public Park and Recreational Purposes, S.O. 84-230, Resolution of 1985," pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

2060. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a draft bill entitled, "The Central American Counterterrorism Act of 1985"; to the Committee on Foreign Affairs.

2061. A communication from the President of the United States, transmitting information with respect to his intention to authorize the sale of a limited quantity of defensive arms to Jordan. (H. Doc. No. 99-110); to the Committee on Foreign Affairs and ordered to be printed. September 30, 1985.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1963. A bill to increase the development ceiling at Allegheny Portage Railroad National Historic Site and Johnstown Flood National Memorial in Pennsylvania, and for other purpose and to provide for the preservation and interpretation of the Johnstown Flood Museum in the Cambria County Library Building, Pennsylvania; with amendments (Rept. 99-291). Referred to the Committee of the Whole House on the State of the Union.

Ms. OAKAR: Committee on Post Office and Civil Service. H.R. 3384. A bill to amend title 5, United States Code, to expand the class of individuals eligible for refunds or other returns of contributions from contingency reserves in the employees health benefits fund; to make miscellaneous amendments relating to the civil service retirement system and the Federal Employees

Health Benefits Program; and for other purposes (Rept. 99-292). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 1562. A bill to achieve the objectives of the Multi-Fiber Arrangement and to promote the economic recovery of the United States textile and apparel industry and its workers (Rept. 99-293). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND
RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROSTENKOWSKI (for himself and Mr. DUNCAN):

H.R. 3451. A bill to extend for 45 days the application of tobacco and Superfund excise taxes, trade adjustment assistance, certain Medicare reimbursement provisions, and borrowing authority under the Railroad Unemployment Insurance Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

H.R. 3452. A bill to extend for 45 days the application of tobacco excise taxes, trade adjustment assistance, certain Medicare reimbursement provisions, and borrowing authority under the Railroad Unemployment Insurance Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

H.R. 3453. A bill to amend the Internal Revenue Code of 1954 to extend the Superfund taxes for 45 days; to the Committee on Ways and Means.

By Mr. DE LA GARZA.

H.R. 3454. A bill to extend temporarily certain provisions of law; to the Committee on Agriculture.

By Mr. KASTENMEIER:

H.R. 3455. A bill to amend title 18, United States Code, to prohibit certain forms of video surveillance, and to modify certain prohibitions with respect to other surveillance; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. SHELBY, Mr. WYDEN, Mr. LUKE, and Mr. BROYHILL):

H.R. 3456. A bill to amend the Consumer Product Safety Act to extend it for 3 fiscal years, and for other purposes; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

254. By the SPEAKER: Memorial of the Legislature of the State of California, relative to substance abuse in professional sports; to the Committee on Energy and Commerce.

255. Also, memorial of the Legislature of the State of California, relative to the National Railroad Passenger Corporation; to the Committee on Energy and Commerce.

256. Also, memorial of the Legislature of the State of California, relative to daylight saving time; to the Committee on Energy and Commerce.

257. Also, memorial of the Legislature of the State of California, relative to methanol-powered vehicles; to the Committee on Energy and Commerce.

258. Also, memorial of the Legislature of the State of California, relative to Turkey; to the Committee on Foreign Affairs.

259. Also, memorial of the Legislature of the State of California, relative to Federal mineral leasing; to the Committee on Interior and Insular Affairs.

260. Also, memorial of the Legislature of the State of California, relative to persons of Japanese ancestry interned during World War II; to the Committee on the Judiciary.

261. Also, memorial of the Legislature of the State of California, relative to immigration quotas; to the Committee on the Judiciary.

262. Also, memorial of the Legislature of the State of California, relative to the Coast Guard vessel traffic service; to the Committee on Merchant Marine and Fisheries.

263. Also, memorial of the Legislature of the State of California, relative to fire emergencies; to the Committee on Public Works and Transportation.

264. Also, memorial of the Legislature of the State of California, relative to a new national veteran's cemetery; to the Committee on Veterans' Affairs.

265. Also, memorial of the Legislature of the State of California, relative to Federal income taxation; to the Committee on Ways and Means.

266. Also, memorial of the Legislature of the State of California, relative to national forest revenue sharing; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

267. Also, memorial of the Legislature of the State of California, relative to boxing; jointly, to the Committees on Energy and Commerce and Education and Labor.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 237: Mr. FRANKLIN and Mr. TRAFICANT.

H.R. 1145: Mr. WEAVER.

H.R. 1769: Mr. SNOWE.

H.R. 2578: Mr. FEIGHAN, Mr. MOAKLEY, Mr. NATCHER, Mr. PANETTA, Mr. REID, Mr. SMITH of Florida, Mr. TORRICELLI, and Mr. WEBER.

H.R. 2689: Mr. SKEEN.

H.R. 2866: Mr. HUGHES, Mr. ZSCHAU, and Mr. VISCLOSKEY.

H.R. 3006: Mr. BLAZ and Mr. PRICE.

H.R. 3189: Mr. BATES.

H.J. Res. 122: Mr. MAZZOLI, Mr. WYDEN, Mr. NELSON of Florida, Mr. MOODY, and Mr. GRAY of Illinois.

H.J. Res. 313: Mr. YATRON, Mr. MCDADE, Mr. ORTIZ, Mr. JONES of Tennessee, Mr. LEATH of Texas, Mr. HENRY, Mr. GRAY of Illinois, Mr. LEWIS of Florida, Mr. ANNUNZIO, Mr. QUILLIN, Mr. GROTH, Mr. CHAPPIE, and Mr. HUBBARD.

H. Con. Res. 24: Mr. SOLARZ, Mr. BADHAM, Mr. COUGHLIN, and Mr. COURTER.

H. Con. Res. 169: Mr. WOLPE.

H. Con. Res. 196: Mr. HAWKINS, Mr. WAXMAN, Mr. LIVINGSTON, Mr. GUARINI, Mr. BRYANT, Mr. FUSTER, Mr. MITCHELL, Mr. BEDELL, Mr. MCCAIN, Mr. ANDREWS, Mr. FRANK, Mrs. BOXER, Mr. MRAZEK, Mr. MARTINEZ, Mr. RICHARDSON, Mr. MORRISON of Connecticut, Mr. ROE, and Mr. LELAND.

**DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLU-
TIONS**

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2451: Mr. SMITH of Florida.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.J. Res. 3

By Mrs. BYRON:

—Page 3, strike out line 3 and all that follows through line 3 on page 4 and insert in lieu thereof the following: "That it is the

sense of the Congress that at the earliest appropriate date, following certification by the President that, in the context of the requirement to maintain a viable nuclear deterrent, of assuring Soviet compliance, and of achieving deep reductions in nuclear arms, substantial progress has been made on the verification of nuclear weapons testing, to include onsite monitoring, the President should propose to the Soviet Union the timely resumption of negotiations with the objective of concluding a verifiable comprehensive test ban treaty."

—Amend the preamble to read as follows:

Whereas August 6, 1985, marked the 40th anniversary of the detonation of the nuclear bomb at Hiroshima;

Whereas the Soviet Union announced its intention to begin a five-month moratorium on nuclear testing on August 6, 1985;

Whereas a complete cessation of nuclear test explosions must be related to the ability of the United States to maintain credible deterrent forces;

Whereas any test ban agreement must be verifiable and must be made in the context of deep and verifiable arms reductions;

Whereas the United States has concluded, based upon a thorough evaluation of the evidence, that the Soviet Union has repeatedly violated the Limited Test Ban Treaty and likely violated the Threshold Test Ban Treaty; and

Whereas the President has now invited a Soviet team to observe and measure a nuclear test at the Nevada Test Site, without a requirement of reciprocity, or any other conditions: Now, therefore, be it